

**AN ORDINANCE  
AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT  
REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED AT THE FOLLOWING  
DOCUMENT LOCATIONS: CHAPTERS 4,5,6,7,8,9, AND 12.**

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 5, Special Purpose and Overlay Zoning Districts; Chapter 6, Use Regulations; Chapter 7, Form-Based Zoning District; Chapter 8, Subdivision Regulations; Chapter 9, Development Standards; and Chapter 12, 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 6th day of December 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: November 10, 2022  
Second Reading: November 17, 2022  
Third Reading: December 6, 2022

## EXHIBIT A

### ARTICLE 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS

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#### Sec. 4.2.3 Setbacks

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Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a Structure and the property line of the Lot on which the structure is located, except as modified by the standards of this Section. The terms "unobstructed" and "unoccupied open area" in this section shall refer to anything that is constructed or erected within the setback that is determined to have a permanent location on the ground.

- A. **Exceptions to Setbacks.** Every part of a required Setback must be open and unobstructed from the ground to the sky except as set out in this Section.
1. Trees, shrubbery, or other landscape features may be located within any required Setback; however, they shall be selected for site specific conditions. Plant material to be located adjacent to public Drainage Easements and Right-of-Ways shall be selected and placed not to impede future access. Additionally, vegetation planted within Utility Easements shall be selected and sited to minimize pruning for future maintenance and clearance of such utilities. The Zoning and Planning Director may require modifications (substitutions and relocation) of plant material on proposed landscape plans when necessary to assure access and ease of maintenance to any Easements and Right-of-Ways and to preserve the public health, safety, and welfare.
  2. In all Zoning Districts, fences, hedges and walls may be located within any required setback, provided that no fence, wall or hedge shall obstruct the view of vehicular access to any Roadway between three and 10 feet in height above grade. For the safety of pedestrian and vehicular traffic, in residential Zoning Districts, an unobstructed vision clearance triangle shall be maintained along intersections of residential driveways with adjacent Roadways. The vision clearance triangle shall be formed by the connection of a perpendicular line measuring 15 feet from the point of intersection at the edge of the travelway into the driveway and a 15 foot parallel line away from the point of intersection along the Roadway (see Figure 4.1, Residential vision clearance triangle). Residential driveways along Roadways with a classification of collector or higher may be subject to a greater distance of measurement.
  3. In all Zoning Districts, elements that are not designed or intended to have a permanent location on the ground as determined by the Zoning and Planning Director including, but not limited to, vehicles, boats, RV's, lawn and garden furniture and equipment, and similar items.
  4. Driveways may be located in front and Street Side Setbacks.
  5. Sidewalks may be located within any required Setback.
  6. Utility lines, wires and associated structures, such as power poles, may be located within any required Setback.
  7. Uncovered porches, uncovered steps to Building entrances, uncovered patio decks and uncovered balconies may extend up to five feet into any required Front, Rear or Street Side Setback.
  8. Openwork fire balconies and fire escapes may extend up to five feet into any required Side Setback.
  9. Sills, belt courses, cornices, buttresses, eaves, and other architectural features may extend up to two feet into any required Setback.
  10. Chimneys and flues may extend up to two feet into any required Setback.
  11. Satellite dish antennas may be placed in required Rear Setbacks.
  12. Mechanical equipment, including Heating Ventilation and Air Conditioning (HVAC) equipment, may be extended up to five feet into required Side or Rear Setbacks in all Zoning Districts.
  13. A Variance may not be required when a Structure encroaches less than 12 inches into any required Setback as shown on an as-built survey or site plan drawn to an engineer's scale. Such administrative Setback reductions shall be determined by the Zoning and Planning Director on a case by case basis.
- B. **Contextual Setbacks.** Notwithstanding the Front Setback requirements of the applicable Zoning District, the front Building line of any Structure or Addition to a Structure may be as close to the Street as the front Building line of a Structure located on any Lot that is immediately adjacent to the subject Lot. If the subject Lot is located between two

developed Lots, the front Building line of the Structure that is set back further from the Street shall apply to the subject Lot.

- C. **Setback Reductions.** Where the Front, interior Side and Rear Setbacks of the applicable Zoning District reduces the buildable width of a Lot to less than 20 feet, the Zoning and Planning Director shall be authorized to reduce the required Setbacks as much as necessary, up to a 15-foot setback. For Lots created prior to October 26, 2021, where the Front, Interior Side, and Rear Setbacks of the applicable Zoning District reduces the buildable width of a Lot to less than 40 feet, the Zoning and Planning Director shall be authorized to reduce the required Setbacks as much as necessary, up to a 15-foot Setback.
- D. **Front Setbacks on Narrow Rights-of-Way.** Where a Lot abuts a Right-of-Way with a width of less than 50 feet, the required Front Setback shall be measured from the centerline of the Right-of-Way, provided all Building Code and fire/safety requirements are met.
- E. **Front Setbacks on Narrow Ingress/Egress Easements.** Where a Lot abuts an ingress/egress Easement with a width of less than 50 feet, and is used as a primary access point to the Lot as indicated on an approved Plat recorded prior to April 21, 1999, the required Front Setback shall be measured from the centerline of the Easement, provided all Building Code and fire/safety requirements are met. There shall be a minimum 25-foot Setback between the edge of the Easement to the front of any Structure.
- F. **Setbacks on Corner and Double-Frontage Lots.** On Corner and Double-Frontage Lots, Front Setback standards will apply to each Lot Line that borders a street. The remaining Lot Lines will be subject to Side Setback standards. There is no Rear Lot Line. On Lots where the Front Setback is 50 feet or greater, the Front Setback on the secondary Street may be reduced to 25 feet.
- G. **Reduction for Public Purpose.** When an existing Setback is reduced because of conveyance to a federal, state or local government for a public purpose and the remaining Setback is at least 50 percent of the required minimum Setback for the district in which it is located, then that remaining Setback will be deemed to satisfy the minimum Setback standards of this Ordinance.
- H. **One Time Subdivision of a Nonconforming Lot of Record Existing Prior to April 21, 1999.** A one time subdivision creating one Lot from a Nonconforming Lot of record (Lot existing prior to April 21, 1999) shall be allowed if each Lot resulting from the Subdivision meets the minimum Lot Area of the Zoning District. An Ingress/Egress Easement may be utilized to access a proposed Lot (singular) to the rear of the property. The setback from the edge of the Easement will be the Side Setback required for the Zoning District. The Side Setback from the edge of the Easement will only be utilized to create one proposed Lot from the provision of a One Time Subdivision of a Nonconforming Lot of Record Existing Prior to April 21, 1999
- I. **Setbacks for Waterfront Lots.** Setbacks for Waterfront Lots shall be in accordance with the standards contained in Article 4.24, *Waterfront Development Standards*, of this Ordinance.

## **ARTICLE 4.6 AG-15, AGRICULTURAL PRESERVATION DISTRICT**

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### **Sec. 4.6.3 Density/Intensity and Dimensional Standards**

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- B. **Development Along Critical Line.** The area of a Parcel in the AG-15 District within 1,000 feet of the OCRM Critical Line has a Maximum Density of one Principal Dwelling Unit per three acres with a minimum Lot Area of three acres, only if the Parcel abuts or contains the OCRM Critical Line and the newly created Lots are completely contained within 1,000 feet of the OCRM Critical Line and abut the OCRM Critical Line. The remaining Acreage of the Parcel (more than 1,000 feet from the OCRM Critical Line) maintains a Density of one Principal Dwelling Unit per 15 acres.

## CHAPTER 4 | BASE ZONING DISTRICTS

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### ARTICLE 4.21 CC, COMMUNITY COMMERCIAL DISTRICT

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#### Sec. 4.21.5 Residential Uses

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- A. Single-Family Detached Dwellings in the CC Zoning District shall be subject to Sec. 6.4.25, *Single-Family Detached Dwelling Units*, of this Ordinance.
- B. Multi-Family Dwellings, Single-Family Attached Dwellings, Duplexes, Triplexes, and Fourplexes in the CC Zoning District shall comply with the Density/Intensity and Dimensional Standards of the UR District.

### ARTICLE 4.23 IN, INDUSTRIAL DISTRICT

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#### Sec. 4.23.5 Residential Uses

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- A. Single-Family Detached Dwellings in the IN Zoning District shall be subject to Sec. 6.4.25, *Single-Family Detached Dwelling Units*, of this Ordinance.
- B. Multi-Family Dwellings, Single-Family Attached Dwellings, Duplexes, Triplexes, and Fourplexes in the IN Zoning District shall comply with the Density/Intensity and Dimensional Standards of the UR District.

### ARTICLE 6.4 USE CONDITIONS

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The following use conditions shall apply to Principal Uses in any Zoning District where these uses are allowed as "Conditional Uses" or "Special Exceptions" as shown in Table 6.1-1, *Use Table*.

#### Sec. 6.4.25 Single Family Detached Dwelling Unit

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- A. Single-Family Detached Dwelling Units in the NR Zoning District are subject to the requirements of Article 4.3, *NR, Natural Resource Management District*, of this Ordinance.
- B. Single-Family Detached Dwelling Units in the MHP, RO, GO, and NC Zoning Districts in the Urban/Suburban Area, as defined in the Comprehensive Plan, shall comply with the Density/Intensity and Dimensional Standards of the R-4 Zoning District.
- C. Single-Family Detached Dwelling Units in the CC and IN Zoning Districts in the Urban/Suburban Area, as defined in the Comprehensive Plan, shall comply with the Density/Intensity and Dimensional Standards of the UR Zoning District.
- D. Single-Family Detached Dwelling Units in the MHP, RO, GO, NC, RC, RI, CC and IN Zoning Districts in the Rural Area, as defined in the Comprehensive Plan, shall comply with the Density/Intensity and Dimensional Standards of the AGR Zoning District.

## **ARTICLE 4.24 WATERFRONT DEVELOPMENT STANDARDS**

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### **Sec. 4.24.1 Minimum Lot Width (ft)**

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The minimum Lot Width (ft) is measured and maintained from the Front Lot Line through the entire depth of the parcel to the OCRM Critical Line. All Lots within a Subdivision must meet the minimum Lot Width average. (Exception: Flag Lots and Lots served by Cul-de-Sacs). Lots fronting on cul-de-sacs shall meet the minimum Lot Width at the required minimum Front Setback. Flag Lots are designed with a “flag pole” area with a minimum width of 20’. The flag pole area is not required to meet the minimum Lot Width nor does this area count towards the minimum Lot size or area. Flag lots must meet the minimum Lot Width at the end of the flag pole area/base of Lot. All Lots within a Subdivision must meet the required minimum Lot Width average for the applicable Zoning District.

Reductions from minimum Lot Width average requirements for Parcels which contain or abut an OCRM Critical Line may be permitted if the Zoning and Planning Director determines that one of the following criteria has been met:

- A. No more than three waterfront Lots are being created from the original Parcel and that a reduction of no more than 10 percent of Lot Width average is required for any resulting Lot; or
- B. Where two Lots of record (Lots existing prior to April 21, 1999) have been combined, the resulting Lot may be subdivided into the original configuration shown on the previously approved, recorded plat of record, even if the original Lots do not meet the minimum Lot Width requirement of this Section, provided that the Subdivision meets all other requirements of this Ordinance.

### **Sec. 4.24.2 Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line**

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In order to establish an Accessory Dwelling Unit on a parcel that contains or abuts an OCRM Critical Line the following standards shall apply:

- A. When an Accessory Dwelling Unit is to be located in front of the Principal Dwelling Unit (between the street and the front of Principal Dwelling Unit) the minimum Lot Area shall be 50% larger than the minimum Lot Area requirement for waterfront Lots of the base Zoning District.
- B. When the Accessory Dwelling Unit is to be located to the side or rear of the Principal Dwelling Unit (between the OCRM critical line and the Principal Dwelling Unit) the minimum Lot Width shall be two times the minimum Lot Width required for waterfront Lots in the applicable base Zoning District.
- C. The Accessory Dwelling Unit shall meet the minimum Setbacks of the Zoning District where it will be locate. The distance between the Accessory Dwelling Unit and the Principal Dwelling Unit shall not be less than the sum of the minimum setbacks as required for the Zoning District. If the Accessory Dwelling Unit is to be placed to the side of the Principal Dwelling Unit, the sum of the two side setbacks shall be applied. If the Accessory Dwelling Unit is to the rear of the Principal Dwelling Unit, the sum of the front and rear setbacks shall be applied.
- D. The Zoning Lot and Accessory Dwelling Unit shall comply with all other requirements of this Ordinance, including but not limited to the requirements of Sec. 6.5.9, *Accessory Dwelling Units*.

### **Sec. 4.24.3 Minimum Lot Standards for Dwelling Groups on Parcels Which Contain or Abut an OCRM Critical Line**

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The number of Dwelling Units shall not exceed the maximum number permitted by the Density/Intensity and Dimensional Standards of the base Zoning District. In addition, the Dwelling Groups shall comply with the requirements of Article 4.24, *Waterfront Development Standards*, of this Ordinance, and shall comply with the minimum Lot Area and Lot Width requirements of waterfront Lots in the applicable Zoning District.

### **Sec. 4.24.4 Reduction of OCRM Critical Line Setbacks and Buffers**

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- A. The Zoning and 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 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 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.

#### **Sec. 4.24.5 Reduction of Buffers and Setbacks on Parcels Created Prior to April 21, 1999**

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When the application of buffer/Setback requirements contained within this Ordinance render a parcel that existed prior to April 21, 1999, unbuildable, the Zoning and Planning Director shall be authorized to reduce front, side, and rear yard buffers/Setbacks as necessary to make a Parcel buildable. The Zoning and Planning Director cannot reduce any front and/or rear yard buffer in an amount which would result in the placement of a Structure closer to either the front or rear property line than any Structure on an adjacent property. Any further reduction in any required buffer shall be made by appeal to the Board of Zoning Appeals.

#### **Sec. 4.24.6 Measurement**

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Required OCRM Critical Line buffers and setbacks shall be measured from the OCRM Critical Line, whether the Critical Line or wetland/waterway is located on, adjacent to, or near the subject Parcel.

#### **Sec. 4.24.7 Prohibited Activities**

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The following activities are specifically prohibited in a buffer area:

- A. Removal, excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping;
- B. Grassed lawns requiring regular maintenance such as herbicides, pesticides, fertilizers, and frequent mowing;
- C. Gardens, fences, or Structures, except for permitted crossings;
- D. Paves or other impervious surfaces; and
- E. Destruction or addition of plant life that would alter the existing pattern of vegetation.

#### **Sec. 4.24.8 Restoration of Buffer**

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When the Buffer has been disturbed or destroyed, the Buffer shall be replaced utilizing native species plant material suitable for saltwater tolerance and in compliance with the Buffer Depth and Landscaping Standards of Table 9.4.4-3 and Landscape Material Standards of Sec. 9.4.6. A landscape plan shall be submitted to the Zoning and Planning Director for review and approval prior installation.



## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

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### ARTICLE 5.10 ASHLEY RIVER ROAD CORRIDOR, ARRC-O, OVERLAY ZONING DISTRICT

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#### Sec. 5.10.9 Village Commercial Area (William Kennerty Drive to Church Creek)

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The Village Commercial Area extends from William Kennerty Drive to Church Creek as illustrated on the ARRC-O map entitled "Village Commercial Area". This area currently consists of mixed scale high to medium intensity commercial Development such as shopping centers and consumer services, small scale offices, restaurants, and some multi-family uses. This area is intended to be developed with less intense commercial Development than the Commercial Core area. Future Development in this area should place high priority on pedestrian connectivity between businesses and neighborhoods with attractive planted streetscapes and Building architecture. The requirements of this Section apply to Parcels within the Village Commercial Area as indicated on the map. All Development applications shall, at the time application is made, provide documentation that the following requirements will be met:

- A. **Permitted Uses.** Permitted uses include those uses as allowed in the Low-Density Residential (R-4), Residential Office (RO), Neighborhood Commercial (NC), and Community Commercial (CC) Zoning Districts as indicated on the Overlay map and as described in Table 6.1.6-1, Use Table.

## ARTICLE 5.15 MRC-O, MAIN ROAD CORRIDOR OVERLAY ZONING DISTRICT

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### Sec. 5.15.6 Use Conditions

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- 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 Rights-of-Way, by the use of fencing in compliance with Sec. 9.4.6.B.1 or comparable 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.*
      1. Where projects abut Lots in office, commercial, or industrial Zoning Districts, no Building Setback shall be less than eight feet.
      2. 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 Dwelling Unit shall be permitted.
    - e. *Parking and Circulation.*
      1. *Entrance.* Project entrances shall be 30 feet in width.
      2. *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.
      3. *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 Rights-of-Way, by the use of fencing in compliance with Sec. 9.4.6.B.1 or comparable landscaping.

## CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

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### ARTICLE 5.15 MRC-O, MAIN ROAD CORRIDOR OVERLAY ZONING DISTRICT

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#### Sec. 5.15.7 General Development Standards and Requirements (All Districts)

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##### 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 (IN) 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.
  - d. The Density/Intensity and Dimensional Standards of the Zoning District in which the Parcel was located prior to the adoption of the MRC-O on December 17, 2020 shall apply for Single-Family Detached Dwelling Units.
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.

Sec. 6.1.6 Table 6.1-1, Use Table

Principal uses shall be allowed within the Zoning Districts of this Ordinance in accordance with Table 6.1-1, Use Table.

Table 6.1-1 Use Table																						
A=Use Allowed By Right; C=Use Subject to Conditions; S=Special Exception Use (must also comply with applicable conditions); Blank cells indicated prohibited land uses																						
Land Uses	ZONING DISTRICTS																		Condition			
	NR	OS	RM	AG-15	AG-10	AG-8	AGR	RR	S-3	R-4	UR	MHS	MHP	CI	RO	GO	NC	RC	CC	RI	IN	
<b>WHOLESALE SALES</b>																						
Wholesale Sales																				A	A	A
Clay or Related Products and Construction Material Wholesaler																			S	A	A	A
Flower, Nursery Stock, or Florists' Supplies Wholesaler			A	A	A	A													S	A	A	A
Petroleum Wholesaler																			S	A	A	A
Pharmaceutical, Fertilizer, and Pesticide Wholesaler																			S	S	S	
<b>INDUSTRIAL</b>																						
<b>INDUSTRIAL SERVICES</b>																						
Laundry, Dry Cleaning, or Carpet Cleaning Plant																					A	A
Photo Finishing Laboratory																					A	A
Research and Development Laboratory																					A	A
Scrap and Salvage Service																					S	S
<b>MANUFACTURING AND PRODUCTION, GENERAL</b>																						
Artisan and Craftsman					C	C	C	C								C	C	C	A	A	A	Sec. 6.4.43
Manufacturing and Production																		C	C	A	A	Sec. 6.4.57
Aircraft Manufacturing and Production, including Related Parts																					A	
Chemical Manufacturing and Production																					S	S
Clay or Related Products, Furniture, Cabinets, or Related Products, Toy or Artwork, or Wood Products Manufacturing and Production																		C	C	A	A	Sec. 6.4.57
Microbrewery and Distillery																			C	C	C	Sec. 6.4.33
Pulp Mill or Paper Mill; Rendering Plant																					S	
Slaughter House and Meat Packing																					S	S
Stone or Shell Products Manufacturing and Production																			C	S	S	Sec. 6.4.57

ARTICLE 12.1 TERMS AND USES DEFINED

## TERM DEFINITION

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**Pharmaceutical, Fertilizer, and Pesticide Wholesaler.** An establishment primarily engaged in selling and/or distributing of pharmaceuticals, fertilizers, and/or pesticides or pharmaceutical, fertilizer, or pesticide supplies to retailers, users, firms, or other wholesalers, as well as activities involving the movement and storage of products and equipment. This use often includes display areas, and sales to the public are limited. Products may be picked up on-site or delivered to the customer.

# CHAPTER 6 | USE REGULATIONS

## ARTICLE 6.4 USE CONDITIONS

The following use conditions shall apply to Principal Uses in any Zoning District where these uses are allowed as "Conditional Uses" or "Special Exceptions" as shown in Table 6.1-1, *Use Table*.

### Sec. 6.4.19 Affordable and Workforce Dwelling Units

- A. To promote ownership or occupancy of affordable, quality housing, increased densities and flexible use and Lot standards are allowed pursuant to Table 6.1, Use Table, and this Section, except that increased densities for Lots on Edisto Island and Wadmalaw Island are not permitted, in accordance with the Charleston County Comprehensive Plan.
- B. The purchaser or tenant, at the time of closing or rental agreement, must meet the income requirements contained in this Ordinance for Affordable Dwelling Units or Workforce Dwelling Units, as applicable. It shall be the responsibility of the property owner(s) to ensure that prospective buyers and renters of Affordable and Workforce Dwelling Units are screened and eligible pursuant to the requirements of this Section. The income of all occupants age 18 years and older of an Affordable or Workforce Dwelling Unit who shall be included in the income calculation. All tax documentation shall be from the most recent tax year. Social security numbers and other personal identifying information not required by this Ordinance shall be redacted by the Applicant.
- C. **Applicability.**
  - 1. The standards of this Section apply to all Overlay Zoning Districts that do not specifically address Affordable and Workforce Dwelling Units. In the case of conflict between the requirements of this Section and those of an Overlay Zoning District or any other provision of this Ordinance, the Zoning and Planning Director shall determine which standards apply giving deference to the standards that will result in the creation of the most Affordable and Workforce Dwelling Units.
  - 2. The standards of this Section do not apply to Lots located on Edisto and Wadmalaw Islands.

Density, Intensity, and Dimensional Standards: Rural Area			
Zoning District	Maximum density when at least 50% of Principal Dwelling Units qualify as AFUs and/or WDUs:	Maximum density when 100% of Principal Dwelling Units qualify as AFUs and/or WDUs:	Minimum Lot Area
AG-10 (except on Edisto Island) [1][3]	1 Principal Dwelling Unit per 7 acres	1 Principal Dwelling Unit per 5 acres	1 acre
AG-8 [2][3]	1 Principal Dwelling Unit per 4 acres	1 Principal Dwelling Unit per acre	14,500 square feet
AGR and RR (except properties on Edisto and Wadmalaw Islands) [2][3]	2 Principal Dwelling Units per acre	4 Principal Dwelling Units per acre	14,500 square feet

[1] Development shall comply with the dimensional standards of the AG-10 Zoning District, as contained in Chapter 4, *Base Zoning Districts*, where no standard is listed in the table above.

[2] Development shall comply with the dimensional standards of the R-4 Zoning District, as contained in Chapter 4, *Base Zoning Districts*, where no standard is listed in the tables above.

[3] Only Single-Family Detached Dwelling Units shall be allowed.

Note: "AFU" = Affordable Dwelling Unit | "WDU" = Workforce Dwelling Unit

- D.
  - 2. The maximum Density and minimum Lot Area standards listed in the table below shall apply to Developments in the Urban/Suburban Area, as defined in the Charleston County Comprehensive Plan, that contain the required percentages of Affordable or Workforce Dwelling Units:

### Density, Intensity, and Dimensional Standards: Urban/ Suburban Area

Zoning District	Maximum Density when at least 25% of Principal Dwelling Units qualify as AFUs and/or WDUs:	Maximum Density when at least 50% of Principal Dwelling Units qualify as AFUs and/or WDUs:	Maximum Density when 100% of Principal Dwelling Units qualify as AFUs and/or WDUs:	Minimum Lot Area
S-3 [1][2] [4]	4 Principal Dwelling Units per acre	5 Principal Dwelling Units per acre	7 Principal Dwelling Units per acre	8,000 square feet for Single-Family Detached Dwelling Units; no minimum lot size for Single-Family Attached Dwelling Units, Duplexes, Triplexes, and Fourplexes.
R-4, MHS, CI, RO, GO, NC [1][2] [4]	8 Principal Dwelling Units per acre	12 Principal Dwelling Units per acre	18 Principal Dwelling Units per acre	4,000 square feet for Single-Family Detached Dwelling Units; no minimum lot size for Single-Family Attached Dwelling Units, Duplexes, Triplexes, and Fourplexes.
UR, CC, IN [1][3]	20 Principal Dwelling Units per acre	24 Principal Dwelling Units per acre	28 Principal Dwelling Units per acre	No minimum lot size

[1] Development shall comply with the dimensional standards of the UR Zoning District where no standard is listed in the table above provided that the Waterfront Development Standards of the Zoning District in which the property is located apply to development abutting the OCRM Critical Line and the Building Height requirements of the Zoning District in which the property is located apply. The R- 4 Waterfront Development Standards and Building Height Requirements shall apply to development in the CI, RO, GO, and NC Zoning Districts. The UR Waterfront Development Standards and Building Height Requirements shall apply to development in the CC and IN Zoning Districts.

[2] Single-Family Detached Dwelling Units, Single-Family Attached Dwelling Units, Duplexes, Triplexes, and Fourplexes shall be allowed provided that in the S-3 and R-4 Zoning Districts, Special Exception approval from the Board of Zoning Appeals shall be required for Single-Family Attached Dwelling Units, Duplexes, Triplexes, and Fourplexes.

[3] Single-Family Detached Dwelling Units, Single-Family Attached Dwelling Units, Duplexes, Triplexes, Fourplexes, and Multi-Family Dwelling Units shall be allowed.

[4] Reductions in minimum lot size requirements may be requested pursuant to Art. 3.10, Zoning Variances, of this Ordinance.

Note: "AFU" = Affordable Dwelling Unit | "WDU" = Workforce Dwelling Unit

E. **Off-Street Parking Requirements.** Off-street parking spaces shall be provided for Affordable and Workforce Dwelling Units in accordance with Table 9.2.2, *Off-Street Parking Schedule*.

F. **General Development and Design Requirements.**

1. The Zoning and Planning Director shall be authorized to administratively reduce right-of-way, easement, and land use buffer requirements as applicable for properties developed in compliance with this Section.
2. Affordable and Workforce Dwelling Units shall be provided within each phase of the development. Subdivision plats and Site Plan Review applications shall include an accounting of the total number and type of Affordable, Workforce, and Market-Rate Dwelling Units included in the current phase as well as the total number and type of those approved in previous phases to ensure compliance with the approved Affordable/Workforce Dwelling Unit Plan.
3. Affordable and Workforce Dwelling Units shall be integrated throughout the development and not located in a single area of the development.
4. Any Studio Dwelling Unit provided under this Section must be a minimum of 500 square feet in floor area. In no instance shall more than 50 percent of the Affordable or Workforce Dwelling Units be provided in the form of Studio Dwelling Units.
5. In terms of exterior appearance, Affordable and Workforce Dwelling Units shall be indistinguishable from Market-Rate Dwelling Units. External building materials and finishes for Affordable and Workforce Dwelling Units shall be the same in type and quality as the Market-Rate Dwelling Units.
6. Interior features of Affordable and Workforce Dwelling Units shall be functionally equivalent to the Market-Rate Dwelling Units, though the finishes and materials need not be identical.
7. Affordable and Workforce Dwelling Units shall be comparable to the Market-Rate Dwelling Units in terms of improvements related to energy efficiency, which include but are not limited to mechanical equipment and plumbing, insulation, windows, and heating and cooling systems.

## G. Zoning Permit Fees and Application Review.

1. Zoning Permit, Site Plan Review, and Subdivision Plat application fees for Affordable and Workforce Dwelling Units shall be waived by the Zoning and Planning Director at the request of the developer and provision of certification that the Dwelling Units meet the requirements of this Ordinance.
2. Site Plan Review and Subdivision Plat applications for developments that contain Affordable and/or Workforce Dwelling Units shall be expedited and receive priority over reviews of other applications. Issuance of Zoning Permits for Affordable and/or Workforce Dwelling Units shall also be expedited and receive priority over other applications.
3. The following requirements apply only to developments containing Market-Rate Dwelling Units. An Affordable/Workforce Dwelling Unit Plan must be submitted as part of all Site Plan Review and Subdivision Plat applications. The Affordable/Workforce Dwelling Unit Plan shall, at a minimum, contain the following information:
  - a. The total number and type of Market-Rate Dwelling Units, Affordable Dwelling Units, and Workforce Dwelling Units, as applicable, in the development, including the total number of owner-occupied and renter-occupied Affordable and Workforce Dwelling Units.
  - b. The number of bedrooms in each Market-Rate Dwelling Unit, each Affordable Dwelling Unit, and each Workforce Dwelling Unit.
  - c. The square footage of each Market-Rate Dwelling Unit, each Affordable Dwelling Unit, and each Workforce Dwelling Unit.
  - d. The location of each Affordable Dwelling Unit and Workforce Dwelling Unit within each development including within Duplexes, Triplexes, Fourplexes, and Multi-Family Dwelling Units. The location of each Affordable, Workforce, and Market-Rate Dwelling Unit above any non-residential use shall also be identified.
  - e. A detailed description of how the developer will ensure compliance with the provisions of this section throughout the required term of affordability and how the development complies with Sec. 6.4.19(F), General Development and Design Requirements. Developers who partner with other organizations for monitoring and compliance purposes shall designate the organization in the Affordable/Workforce Dwelling Unit Plan.
4. Affordable and Workforce Dwelling Units shall be limited by deed restriction to remain within the parameters of the applicable definition contained in this Ordinance, for a period of not less than 20 years after the issuance of the Certificate of Occupancy. Funding sources and other factors may require a longer term of affordability. A copy of the recorded deed restrictions required by this Section shall be submitted to the Zoning and Planning Department prior to the final Site Plan Review approval or recording of the Final Plat, as applicable.
  - a. Resale of Affordable and Workforce Dwelling Units shall be limited by deed restriction to the original sales price, adjusted for inflation, and to a purchaser eligible, as described in this Section, for a period of not less than 20 years after issuance of the Certificate of Occupancy. The increase permitted for inflation shall be based upon the increase in the Consumer Price Index (CPI).
  - b. If, while occupying an Affordable or Workforce Dwelling Unit, a household's income increases to an amount beyond that permitted in the definition of "Affordable Dwelling Unit" or "Workforce Dwelling Unit", as applicable, as contained in this Ordinance, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be sold to a qualifying household, pursuant to the requirements of this Ordinance, for the period the unit is deed restricted as an Affordable or Workforce Dwelling Unit.
5. The owner(s) of properties containing Affordable and Workforce Dwelling Units must sign and submit the completed Affordable and Workforce Dwelling Unit Affidavit as part of Site Plan Review and Subdivision Plat applications and at the following times:
  - a. On an annual basis, by June 30th of each calendar year;
  - b. At least 30 days prior to closing on an Affordable or Workforce Dwelling Unit;
  - c. At least 30 days prior to a new tenant occupying an Affordable or Workforce Dwelling Unit; and
  - d. Anytime a lease for an Affordable or Workforce Dwelling Unit is renewed.



**H. Rent Levels/Fair Market Rents.**

1. The maximum rent level for Affordable and Workforce Dwelling Units shall be based on the schedule of Fair Market Rents for the Charleston-North Charleston MSA, as published annually by the U.S. Department of Housing and Urban Development (HUD).
  2. Fair Market Rents include a utility allowance for electricity, gas, water, and sewer, based on a schedule published by the South Carolina State Housing Authority.
- I. A minimum lease term of 31 days is required for all Affordable and Workforce Dwelling Units. Any sublease shall comply with the requirements of this section.
- J. No Affordable or Workforce Dwelling Unit may be used for Short-Term Rentals, as defined by this Ordinance.
- K. Any violation of the requirements of this Section, including, but not limited to, sale or rental of Affordable or Workforce Dwelling Units during the term of affordability to persons that do not meet the eligibility requirements described in this Ordinance, failure to submit changes in ownership and/or tenants, or failure to file the Affordable and Workforce Dwelling Unit affidavit as required by this Section, shall constitute a violation and the provisions of Chapter 11, Violations, Penalties, and Enforcement, of this Ordinance shall apply.

## ARTICLE 6.4 USE CONDITIONS

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The following use conditions shall apply to Principal Uses in any Zoning District where these uses are allowed as "Conditional Uses" or "Special Exceptions" as shown in Table 6.1-1, *Use Table*.

### Sec. 6.4.54 Kennel

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Kennels shall be subject to the following standards:

- A. **Minimum Lot Size.** The Lot size shall contain a minimum of five acres.
- B. **Exception to Minimum Lot Size.** This use may be approved for a Lot that is at least two acres in size in accordance with the Special Exception procedures contained in this Ordinance.
- C. **Required Screening and Landscaped Buffer.**
  1. A minimum 100-foot Landscaped Buffer from all adjacent properties is required. A Variance for a reduction of this Buffer may be requested from the Board of Zoning Appeals in compliance with the procedures of Art. 3.10, Zoning Variances, of this Ordinance.
  2. Outdoor activities shall not be located within or have access to the required Landscaped Buffers.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

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### Sec. 6.5.9 Accessory Dwelling Units

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In Agricultural and Residential Zoning Districts, one Accessory Dwelling Unit may be established on an existing Lot subject to the following standards:

- A. If located in the Rural Area, the Lot must have a minimum area at least 50 percent larger than the minimum area required for a Principal Structure and the heated gross floor area of the Accessory Dwelling Unit shall not exceed 1,500 square feet.
- B. Only one Accessory Dwelling Unit shall be permitted per Lot.
- A. Accessory Dwelling Units placement shall comply with all dimensional standards of the applicable Zoning District, as contained in [CHAPTER 4, Base Zoning Districts](#), of this Ordinance, including all Setback, buffer, Building Coverage, height requirements, and waterfront development standards. However, Accessory Dwelling Units within Residential and Residential Office (RO) Zoning Districts in the Urban/Suburban Area shall comply with the Setback requirement of Sec. 6.5.8.B.3.
- C. Accessory Dwelling Units placed on Parcels that contain or abut an OCRM Critical Line shall comply with the requirements of Article [4.24.2, Minimum Lot Standards for Accessory Dwelling Units on Parcels which Contain or Abut an OCRM Critical Line](#).
- D. Separate electrical meters shall not be allowed for attached Accessory Dwellings Units.

## ARTICLE 12.1 TERMS AND USES DEFINED

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### TERM DEFINITION

#### A

**Accessory Dwelling Unit** A Dwelling Unit providing complete, independent living facilities for one or more Persons that is separate from and subordinate to the principal Dwelling Unit, while both Units are serviced by one electrical meter. This definition includes Garage Apartments.

#### D

**Duplex** Two Single-Family Dwelling Units contained within a single Building, other than a **Manufactured Housing Unit**, and are serviced by separate electrical meters.

## CHAPTER 6 | USE REGULATIONS

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### ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

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#### Sec. 6.5.17 Temporary Portable Storage Units

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Temporary Portable Storage Units are permitted if located on the same Lot as the Principal Structure subject to the following conditions:

- A. If the Temporary Portable Storage Unit is located on a Lot with a Nonresidential or Office use or Zoning District designation for a period exceeding 15 days, the requirements of Sec. 3.7.3, Limited Site Plan Review, shall apply;
- B. The maximum size of a Temporary Portable Storage Unit shall not exceed 160 square feet of indoor storage;
- C. A maximum of 160 square feet of indoor temporary portable storage shall be permitted per Lot in Residential Zoning Districts;
- D. Temporary Portable Storage Units are allowed for a period not to exceed a total of six months in one calendar year. Zoning Permits shall be required for Temporary Portable Storage Units that remain on a property for a time period exceeding 15 consecutive days;

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

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### Sec. 6.5.18 Permanent Storage Units

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Permanent Storage Units are permitted subject to the following conditions:

- A. **Applicability.** The requirements of this Section apply to any Permanent Storage Unit, as defined in subsection C.
- B. **Location.**
  1. Permanent Storage Units may be established as an Accessory Use to any Principal Use in an RR, AGR, AG-8, AG-10, AG-15, RM, CC, RI, or IN Zoning District. Permanent Storage Units are not permitted in any other Zoning District.
  2. Permanent Storage Units are permitted only in the rear yard, as defined in subsection C.

## **Sec. 6.4.8 Roadside Stand; Sweetgrass Basket Stand**

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Roadside Stands and Sweetgrass Basket Stands shall be subject to the following standards:

- A. Vehicle parking for Sweetgrass Basket Stands shall be located entirely out of all travel lanes with a minimum of two feet of clearance between the edge of the travel lane and any parked vehicle and the Stand.
- B. The following requirements shall apply to Roadside Stands in addition to all other applicable requirements of this Ordinance:
  1. Maximum covered area of 500 square feet;
  2. Roadside Stands are not required to be located on the same Lot as the Farm on which the produce being sold is grown when the following requirements are met: (a) the Lot where the stand is located is owned by the Person, entity, etc. that owns the Farm on which the produce being sold is grown; and (b) the stand is located within one mile of the Farm on which the produce being sold is grown.
  3. The parking and Stand shall be setback at least 5 feet' from the Right-of-Way;
  4. The location and layout shall not cause traffic safety problems;
  5. At least two cars can be parked safely; and
  6. The permission of the Property Owner has been obtained in writing.
- C. Zoning Permits are not required for Roadside Stands or Sweetgrass Basket Stands.

## **ARTICLE 12.1 TERMS AND USES DEFINED**

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### **TERM DEFINITION**

**Farmers' Market** An Open Air Market, other than a Roadside Stand, used for the retail sale of fresh fruits, vegetables, nuts, grains, eggs, flowers, herbs, or Plants by one or more vendors. No more than 25% of gross receipts may be derived from the sale of other unprocessed food stuffs; home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts; and commercially packaged handicrafts or commercially processed or packaged foodstuffs. Produce sold may be grown on the property where the Open Air Market is located or may be trucked in from area Farms. Vehicles, boats, and RVs cannot be stored or sold as part of Open Air Market operations. Otherwise, this use shall be considered a Special Event or Retail Sales. This definition does not include Food Trucks and Restaurants.

# CHAPTER 7 | FORM-BASED ZONING DISTRICT

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## ARTICLE 7.6. DEFINITIONS

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### Sec. 7.6.1 Supplementary Definitions

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- A. **Applicability.** The following definitions supplement the definitions found in [CHAPTER 12](#) of the ZLDR and only apply to this Chapter 7. Should there be any conflict between a definition listed here and those found in [CHAPTER 12](#), the definition listed here shall apply.

#### TERM DEFINITION

## ARTICLE 8.7 LOTS

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### Sec. 8.7.3 Access

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- A. Double-Frontage Lots shall be avoided except where essential to provide separation of residential Development from major Roadways or to overcome specific disadvantages of topography and orientation. An Easement with a minimum width of ten feet may be required to restrict access from the major Street or other area.
- B. All Lots shall be provided with a means of access in conformance with the standards and specifications of this Ordinance.
- C. All Flag Lots, Cul-de-Sac Lots, and privately accessed Lots shall comply with the International Fire Code, as adopted by County Council.
- D. All ingress/egress Easements and private Rights-of-Way shall be: constructed in the location shown on the approved, recorded Plat; constructed to comply with the International Fire Code, as adopted by County Council, from their point of connection to an existing publicly owned and maintained Right-of-Way to Lot(s) proposed for Development; and inspected pursuant to Sec. A.2.5 , *County Inspection*, of this Ordinance.
- E. The Zoning and Planning Director may allow use of a portion of an ingress/egress Easement or private Right-of-Way that was constructed prior to July 18, 2017 that cannot comply with the width clearance requirements of the International Fire Code when: (1) the Director determines that moving the ingress/egress Easement or private Right-of-Way to a different location is not possible due to site constraints, property size, Grand Trees, wetlands, etc.; (2) the Applicant submits letters from the providers of emergency services for the Subject Properties stating they can access all properties utilizing the ingress/egress Easement or private Right-of-Way; and (3) all future portions of the ingress/egress Easement or private Right-of-Way comply with the International Fire Code.
- F. For properties within the Urban/Suburban Area, the Directors of the Zoning and Planning and Public Works Departments may require Rights-of-Way that provide access to be paved in compliance with Appendix A of this Ordinance.



## ARTICLE 9.2 TREE PROTECTION AND PRESERVATION

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### Sec. 9.2.3 Tree Plans and Surveys

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#### A. General.

1. Tree plans of the same scale as, and superimposed on, a Development site plan or Preliminary Plat shall include location, number, size (DBH), and species with a scaled graphic representation of each Grand Tree, along with the canopy size and shape, and trunk location.
2. Tree surveys shall include the name, phone number, address, signature, and seal of a licensed surveyor, civil engineer, forester, arborist, or landscape architect registered in the State of South Carolina.
3. The survey shall include all Trees to be protected or preserved, and those scheduled to be removed, including dead and damaged Trees. In cases where a previously approved recorded Plat is utilized for the purpose of Tree plans, the name, address, phone number, signature, and seal of the licensed surveyor, civil engineer, or landscape architect registered in the State of South Carolina shall be provided. A scaled infrared or high resolution black-and-white aerial photograph or print of equal quality may be substituted in cases where the Director determines that it would provide the same information as a Tree plan. However, all Grand Trees within 40 feet of proposed construction and land disturbance areas and Trees within required buffers must be surveyed and mapped.

B. Subdivision Plats refer to the Subdivision Regulations of Chapter 8 of this Ordinance.

#### C. Commercial, Industrial, and Multi-Family, Civic/Institutional, and Other Uses.

1. All Tree surveys must show the location, number, size, and species of all Trees with eight or more inches DBH, including those scheduled to be removed.
2. When there are no Trees that are eight or more inches DBH, documentation to that effect shall be provided from a licensed surveyor, civil engineer, forester, arborist, or registered landscape architect.

D. Agricultural and Single-Family Detached Residential Uses must show all Grand Trees within 40 feet of the area of construction land disturbance, Rights-of-Way, and Easements, and in conjunction with the Subdivision regulations at the time a Zoning or Building Permit application is made.

### Sec. 9.2.4 Required Tree Protection

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#### A. General.

1. All Grand Trees and any other Trees required to remain on a site must be protected during construction and Development of a Parcel. Tree protection must be shown on all Development plans prior to site plan approval. A site inspection of the Tree barricades must be scheduled by the Applicant with the Zoning and Planning Department for approval prior to the issuance of permits or the start of Development activities.
2. Prior to issuance of a Zoning Permit, a pre-construction planning conference is required for on-site Tree preservation with the Zoning and Planning Director or staff representative, the Applicant(s), and any appropriate parties for determining if there is need for additional Tree protection techniques and for designating placement of Tree barricades, construction employee parking, temporary construction office, and dumpsters.

B. Prior to the start of Land Development activities, protective Tree barricades shall be placed around all Required Trees in or near Development areas. The barricades shall be constructed of wood, metal, or plastic fencing or other materials approved by the Zoning and Planning Director, and include a top rail. Tree barricades shall be placed beneath the canopy Drip Line or one-and -one-half feet times the DBH of the Tree as a radius from the trunk, whichever is greater. Other protective devices or construction techniques may be used as approved by the Zoning and Planning Director. Three inches of mulch shall be installed and maintained within all Tree barricade areas. The mulch shall remain in place throughout Development activities. The area within the Tree barricade shall remain free of all Building materials, dirt, fill, and other construction debris, vehicles, and Development activities. All Required Trees are also subject to the requirements of Sec. 9.4.6, *Landscape Materials Standards*, and Article 11.3, *Enforcement Responsibility and Complaints*.

C. In no case shall any paving, filling, grading, Building, or construction footing occur or be placed within three times the DBH in inches from the trunk of the Tree, unless otherwise approved by the Board of Zoning Appeals.

D. Limited Clearing and Grubbing may be authorized by the Zoning and Planning Director prior to the installation of Tree barricades on sites that exhibit unusually heavy undergrowth and where access to the interior of the site and

its Protected Trees is impractical. Limited Clearing shall be for the express purpose of accessing the property and Protected Trees to erect the Required Tree barricades and silt fencing. Such limited Clearing shall be done with hand tools, push or walk -behind equipment, or lightweight bush-hog type equipment designed for brush and undergrowth Clearing and which is not capable of removing vegetation greater than three inches in diameter. Under no circumstances may metal-tracked bulldozers, loaders, or similar rider/operator equipment be allowed on site until the Tree barricades are erected and a Zoning Permit is issued.

- E. Limited encroachments into the area located within Tree barricades may be allowed by the Zoning and Planning Director provided that encroachments do not constitute more than 25 percent of the protected area beneath a Tree and do not occur in the area located within three times the DBH in inches from the trunk of the Tree unless otherwise approved by the BZA. Any paving, Grading, trenching, or filling of the protected area must be pre-approved by the Zoning and Planning Director or the Board of Zoning Appeals, as required by this Ordinance, and may require specific construction techniques to preserve the health of the Tree. When grading and construction within the protected area of a Tree has been approved, all damaged roots shall be severed clean.
- F. Prior to issuance of a Zoning Permit for uses other than Single-Family Detached Residential, the following numbers of Trees with a DBH of eight inches or greater shall be preserved and protected pursuant to the requirements of this Ordinance. Preservation and protection of native Trees is to be prioritized. Properties within the Industrial (IN) District may elect to mitigate the removal of these Protected Trees, as described in Sec. 9.2.6.D, with the exception that all Grand Trees and any required Buffer tree measuring eight inches (8") or greater shall be preserved. On properties in the IN District that elect to mitigate the removal of these Protected Trees and where the planting of canopy trees is required within Buffers and other landscaping, screening, and buffer areas, canopy trees shall be a minimum of four inch (4") caliper.
  - 1. 20 Trees per acre; or
  - 2. Any number of Trees with a combined DBH of at least 160 inches per acre.
- G. When Lots lack a sufficient number of Trees to meet the requirement for DBH/number of Trees per acre, this requirement shall be fulfilled by existing Trees and must equal 40 inches per acre combined DBH. On Lots with less than 40 inches per acre combined DBH, additional Trees shall be planted on the Lot equaling or exceeding 40 inches per acre combined DBH. Planting schedules shall be approved by the Zoning and Planning Director. Properties within the Industrial (IN) District may elect to mitigate the removal of Protected Trees, as described in Sec. 9.2.6.D, with the exception that all Grand Trees and any required Buffer tree measuring eight inches (8") or greater shall be preserved. On properties in the IN District that elect to mitigate the removal of Protected Trees and where the planting of canopy trees is required within Buffers and other landscaping, screening, and buffer areas, canopy trees shall be a minimum of four inch (4") caliper.
- H. Required drainage improvements, such as Detention and retention ponds and wetlands, may be subtracted from the area used to calculate Tree preservation requirements.

### **Sec. 9.2.5 Tree Removal**

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- A. Permits for Tree removal may be approved where one or more of the following conditions are deemed to exist by the Zoning and Planning Director:
  - 1. Trees are not required to be retained by the provisions of this Article.
  - 2. Trees are diseased, dead, or dying. Documentation may be submitted by a qualified tree care professional and approved by the Zoning and Planning Director;
  - 3. Trees pose an imminent safety hazard to nearby Buildings, pedestrian, or vehicular traffic (as determined by the Zoning and Planning Director or a qualified construction professional); or
  - 4. Removal of Required Trees has been approved by the Board of Zoning Appeals.
- B. Grand Trees and Protected Trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Zoning and Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such Trees.
- C. In the event that a Tree poses a serious and imminent threat to public safety due to death, disease, or damage resulting from emergencies including, but not limited to, fires, flooding, storms, and natural disasters, the Zoning and Planning Director may waive requirements of this Article. Documentation shall later be submitted for review outlining the threat to public safety which initiated the removal. Documentation must include any written findings by a qualified professional and photographs supporting the Tree Removal emergency.

- D. The Zoning and Planning Director may require replacement of Required Trees that are removed where it is determined that death or disease resulted from negligence.
- E. Violations and penalties are specified in [CHAPTER 11, \*Violations, Penalties, and Enforcement\*](#), of this Ordinance.

### **Sec. 9.2.6 Tree Replacement**

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- A. Tree replacement shall be required accompanying Development on all non-exempt properties in the manner described below:
  - 1. When replacement Canopy Trees are required in fulfillment of the requirements of this Article, they shall be no smaller than two and one-half-inch Caliper, except where caliper is otherwise identified.
  - 2. The Zoning and Planning Director or Board of Zoning Appeals is empowered to require Trees of larger Caliper as determined appropriate for site-specific conditions and the circumstances, lawful or illegal, under which removal occurred.
- B. When Trees of eight inches DBH or greater have been removed in violation of this Ordinance, replacement Trees shall be planted in the same general area according to a replacement schedule approved by the Zoning and Planning Director.
- C. Where sites were cleared of Trees prior to the adoption of this Article or have been cleared subsequently for activities exempted from this Article, replacement Trees shall be planted, the combined Caliper of which equals or exceeds 40 inches per acre. Replacement schedules, including number, species, Caliper, and placement shall be approved by the Zoning and Planning Director.
- D. The Tree Fund is established to receive monies exacted from tree removal violation fines or other Tree removal mitigation, to include, but not limited to, removal, damage, destruction, or as defined in [Sec. 9.2.1.C](#) of this Chapter, and as a form of mitigation when planting of the Required Trees is determined to be detrimental to the overall health of existing Trees or impractical for the intended site design. The Zoning and Planning Director shall impose a Tree Mitigation fee based on the current market retail value of two-and one-half inch Caliper Trees installed to the American Association of Nurserymen Standards. The Applicant shall provide a minimum of two quotes from local (tri-county area) contractors for review and fee determination by the Zoning and Planning Director. If the Applicant disagrees with the amount of the Tree Mitigation fee imposed, they may request a Variance from the Board of Zoning Appeals in accordance with the provisions contained in this Ordinance. All Tree Mitigation fees collected shall be paid to the County Treasurer and placed in an account established exclusively for public beautification through the planting of trees in Charleston County.
- E. When Trees have been removed through an approved mitigation program and the project will not be completed for any reason (i.e., bankruptcy, abandonment, change in ownership, etc.), the owners of the Subject Property are responsible for the mitigation of the removed Trees as outlined and agreed or subject to [Sec. 9.2.6.D](#) of this Chapter.

## ARTICLE 9.3 OFF-STREET PARKING AND LOADING

### Sec. 9.3.1 General

#### A. Applicability.

1. *New Development.* The off-street parking and loading standards of this Article apply to the establishment of new uses/businesses, new Building construction, redevelopment, or reconstruction pursuant to Art. 3.7, *Site Plan Review*, of this Ordinance.
2. *Expansions and Alterations.* The standards of this Article apply when an existing Structure or use is expanded, enlarged, or substantially improved pursuant to Art. 3.7, *Site Plan Review*, of this Ordinance. Additional off-street parking and loading spaces will be required only to serve the enlarged, expanded, or substantially improved area, provided that in all cases, the number of off-street parking and loading spaces provided for the entire use (pre-existing and expanded) must equal at least 75 percent of the minimum ratio established in Table 9.3.2, *Off-Street Parking Requirements*.

B. **Timing.** Required Parking spaces and drives shall be ready for use and approved by the Zoning and Planning Director prior to issuance of a Certificate of Occupancy.

C. **Reductions.** The Zoning and Planning Director is authorized to reduce the number of Required Parking spaces by no more than 10 percent when ten or more spaces are required, and the following conditions exist:

1. All parking utilizes pervious materials. This excludes required parking outlined in Sec. 9.3.6, *Accessible Parking*;
2. The site can support the minimum number of required parking spaces and meet the buffering and landscaping requirements and all other Development standards in this Ordinance; or
3. The reduction in parking is necessary to meet the regulations contained in Article 9.2, *Tree Protection and Preservation*.

D. The allowable reductions described above exclude Medical Offices and Restaurant uses. Any approved change in use that increases applicable off-street parking or loading requirements will be deemed a violation of this Ordinance unless parking and loading spaces are provided in accordance with this Article.

### Sec. 9.3.2 Off-Street Parking Requirements

A. **Minimum Requirements.** Unless otherwise expressly allowed, off-street parking spaces shall be provided in accordance with Table 9.3.2, *Off-Street Parking Schedule*.

Table 9.3.2, Off-Street Parking Schedule	
USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
<b>AGRICULTURAL USES</b>	
<b>AGRICULTURAL AND ANIMAL PRODUCTION, PROCESSING, AND SUPPORT</b>	
Animal and Insect Production; Apiculture	None
Horticultural Production; Aquaculture; Mariculture; Concentrated Animal Feeding Operations	1 per employee
Hemp Crop Production and/or Processing	1 per employee
Winery	1 per employee plus 1 per 100 square feet of tasting room area
Agricultural Processing	1 per employee
Agricultural Sale or Service	1 per 500 square feet of Floor Area plus 4 per acre of outdoor sales/display/storage area
Roadside Stand	1 per 150 square feet of Floor Area plus 4 per acre of outdoor sales/display/storage area
Community Garden	1 per employee plus 2 per acre
Farmers' Market	1 per 150 square feet of market area
<b>FORESTRY AND LOGGING</b>	
Bona Fide Forestry Operations	None
Lumber Mill, Planing or Saw Mill	1 per employee plus 1 per commercial vehicle plus 1 per 400 square feet of Floor Area

RESIDENTIAL USES	
ASSISTED LIVING	
Assisted Living	1 per 3 beds
MANUFACTURED HOUSING	
Manufactured Housing Unit	2 per Dwelling Unit
Manufactured Housing Park	2 per Manufactured Housing Unit plus 1 guest parking space per every 4 units
MULTI-FAMILY DWELLING	
Dwelling, Multi-Family; Duplex; Triplex and Fourplex	1.5 per 1-bedroom unit; 2 per 2-bedroom unit; 2.5 per 3-bedroom and larger units
Dwelling Group	2 per Dwelling Unit within Group
Dwelling, Single-Family Attached	2 per Dwelling Unit
SHORT-TERM RENTAL	
Short-Term Rental Property: Limited Home Rental (LHR), Extended Home Rental (EHR), and Commercial Guest House (CGH)	1 per permitted bedroom plus the required parking for the applicable use
SINGLE-FAMILY DWELLING	
Dwelling, Single-Family Detached	2 per Dwelling Unit
OTHER RESIDENTIAL USES	
Transitional Housing	1 per 2 beds plus 1 per every 2 employees
Child Caring Institution; Emergency Shelter	1 per 4 beds plus 1 per every 2 employees
Affordable and Workforce Dwelling Unit: Dwelling, Single-Family Detached; Dwelling, Single-Family Attached; Dwelling Group; and Duplex	1 per Dwelling Unit (requires Special Exception approval from the Board of Zoning Appeals)
Affordable and Workforce Dwelling Unit: Multi-Family; Triplexes; and Fourplexes [1]	1 per studio or 1-bedroom unit; 1.5 per 2-bedroom unit; and 2 per 3-bedroom and larger units (requires Special Exception approval from the Board of Zoning Appeals)
Group Residential	1 per bed
Farm Labor Housing	0.5 per bed
CIVIC/INSTITUTIONAL	
COURTS/PUBLIC SAFETY	
<u>Court of Law</u>	1 per <u>employee</u> plus 1 per every 3 seats of seating available to the public in the courtroom
Correctional Institution	1 per 2 employees
Parole Office or Probation Office	1 per employee plus 1 per 200 square feet of Floor Area
Safety Services	1 per 2 employees
DAY CARE SERVICES	
Family Home; Group Home	1 per 3 beds plus 1 per employee in single shift
Adult Day Care Service; Child Care Center	1 per <u>employee</u> plus 1 per 5 children/adults
Day Camp	1 per employee plus 1 per camp vehicle parked on premises
DEATH CARE SERVICES	
Cemetery	1 per full time employee
Funeral Services	1 per 3 seats plus 1 per employee
EDUCATIONAL SERVICES	
<u>Pre-School</u> or <u>Educational Nursery</u>	1 per 6 students for which the facility is licensed plus 1 per <u>employee</u> plus vehicle stacking per Article 9.3.9
<u>School, Primary</u>	1 for each vehicle owned and operated by the school plus two per <u>employee</u> (including faculty, <u>administrative</u> , etc.) plus vehicle stacking per Article 9.3.9
<u>School, Secondary</u>	1 for each vehicle owned and operated by the school plus two per <u>employee</u> (including faculty, <u>administrative</u> , etc.) plus 1 per 8 students and vehicle stacking per Article 9.3.9
Higher Education Facility	1 per 100 square feet classroom plus 1 per 300 square feet office/administrative plus 1 per 3 beds
<u>Personal Improvement Education</u>	1 per every 3 students plus 1 per <u>employee</u>
HEALTH CARE SERVICES	

Medical Office	1 per 150 square feet of Floor Area
Community Residential Care Facility; Residential Treatment Facility for Children or Adolescents	1 per 5 beds
Counseling Service	1 per 150 square feet
Intermediate Care Facility for Individuals with Intellectual Disabilities	1 per bed plus 1 per employee
Hospital; Hospice Facility	1 per 2 beds plus 1 per 300 square feet of Floor Area of Administrative and Medical Offices
Home Health Agency; Health Care Laboratory; Outpatient Facility for Chemically Dependent or Addicted Persons; Rehabilitation Facility	1 per 200 square feet of Floor Area with a minimum of 4
<b>MUSEUM, HISTORIC SITE, AND SIMILAR INSTITUTIONS</b>	
Library or Archive; Museum	1 per 300 square feet of Floor Area
Nature Exhibition; Botanical Garden; Historic Site	1 per employee in a single shift plus 2 per acre
Zoo	10 plus 1 per employee in single shift
<b>POSTAL SERVICE</b>	
Postal Service, United States	1 per 150 square feet of Floor Area
<b>RECREATION AND ENTERTAINMENT</b>	
Community Recreation	1 per 250 square feet of Floor Area
Fishing, Hunting, or Recreational Guide Service	5 per employee
Golf Course or Country Club	1 per employee plus 4 per golf green and 1 per 75 square feet of indoor seating area plus 1 per 150 square feet of outdoor seating area for accessory restaurant or Bar use
Parks and Recreation	1 per 5,000 square feet of land area plus outdoor recreation requirements
<u>Recreation and Entertainment, Indoor</u>	1 per 3 seats or 1 per 200 square feet of <u>Floor Area</u> , whichever is greater
<u>Recreation and Entertainment, Outdoor</u>	1 per 200 square feet of public activity area plus, Swimming Pool-1 per 200 square feet of <u>water</u> surface area Tennis-2 per court Basketball- 5 per court Athletic Field- 1 per diamond or field
Drive-In Theater	30 per screen plus 1 per employee
Golf Driving Range	1 per tee plus 1 per employee
Outdoor Shooting Range	1 per range position plus 1 per 200 square feet of indoor office area
Special Event	1 per 5 fixed seats, 1 per every three attendees, or 1 per every 3 persons in structures with non-fixed seating of the maximum occupancy load as established by building code. The number of spaces required may be reduced a maximum of 50% if off-site parking is provided by recorded parking agreement and transportation between off-site parking areas and event locations is provided.
<b>RELIGIOUS, CIVIC, PROFESSIONAL, AND SIMILAR ORGANIZATIONS</b>	
Business, Professional, Labor, Political Organization; Social or Civic Organization; Social Club or Lodge; Religious Assembly	1 per 5 fixed seats, 1 per every three attendees, or 1 per every 3 persons in structures with non-fixed seating of the maximum occupancy load as established by building code. The number of spaces required may be reduced a maximum of 50% if off-site parking is provided by recorded parking agreement and transportation between off-site parking areas and event locations is provided.
<b>UTILITIES AND WASTE-RELATED USES</b>	
Utility Service, Major	1 per employee plus 1 per stored vehicle for Parcels with habitable structures
Utility Service, Minor	None
Waste-Related Use; Septic Tank Installation, Cleaning, or Related Service	1 per employee
Solid Waste Disposal Facility (Public or Private)	1 per collection container plus 1 per employee
<b>COMMERCIAL</b>	
<b>ACCOMODATIONS</b>	
Hotel or Motel	1 per room plus spaces as required for associated restaurants, bars, and offices
RV (Recreational Vehicle) Park; Campground	1 per employee plus 1 per recreational vehicle and camp site

<b>ANIMAL SERVICES</b>	
Stable, Commercial	1 per 2 stalls
Stable, Private	1 per 5 stalls
Kennel; Pet Store or Grooming Salon; Small Animal Boarding	1 per 300 square feet of Floor Area plus 1 per employee
Veterinary Service	3 per each veterinarian or allied professional
<b>FINANCIAL SERVICES</b>	
Bank or Financial Service	1 per 300 square feet of Floor Area plus vehicle stacking spaces per Art. 9.3.9
Short-Term Lender	1 per 300 square feet of Floor Area
<b>FOOD SERVICES AND DRINKING PLACES</b>	
Bar or Lounge	1 per 75 square feet of indoor patron area plus 1 per 150 square feet of outdoor patron area and 1 per employee
<u>Catering Service</u>	1 per 400 square feet of <u>floor area</u>
<u>Restaurant, Fast Food</u>	If inside seating: 1 per 75 square feet indoor patron area plus 1 per 150 square feet outdoor patron area plus vehicle stacking spaces per Article 9.3.9 and 1 per employee If no inside patron area: 1 per employee plus 1 per 150 square feet outdoor patron area plus vehicle stacking per Article 9.3.9
<u>Restaurant, General</u>	1 per 75 square feet indoor patron area plus 1 per 150 square feet outdoor patron area and 1 per employee
Sexually Oriented Business	1 per 200 square feet of Floor Area and 1 per employee
<b>INFORMATION INDUSTRIES</b>	
Communication Service; Data Processing Service; and Publishing Industry	1 per 300 square feet of Floor Area
Communications Tower	None
<b>OFFICES</b>	
Administrative or Business Office; Government Office; Professional Office	1 per 300 square feet of Floor Area
<b>OTHER NONRESIDENTIAL DEVELOPMENT</b>	
Convention Center or Visitors Bureau	4 per 1,000 square feet of Floor Area
Heavy Construction Service or General Contractor; Special Trade Contractor (Office/Storage)	1 per 300 square feet of office area plus 1 per 600 square feet of indoor storage area and 4 per acre outdoor storage/display/sales area
Billboard	None
<b>PARKING, COMMERCIAL</b>	
Parking Lot; Parking Garage	1 per employee
<b>RENTAL AND LEASING SERVICES</b>	
Charter Boat or other Recreational Watercraft Rental Service	1 per rental boat or watercraft plus 1 per employee
Heavy Duty Truck or Commercial Vehicle Rental or Leasing; Commercial or Industrial Machinery or Equipment; Construction Tools or Equipment	1 per rental vehicle plus 1 per employee in single shift
Consumer Goods Rental Center	1 per 200 square feet of Floor Area not including storage plus 1 per employee
Self-Service Storage	3 plus 1 per employee and 1 per 100 units
Vehicle Rental or Leasing	1 per 2,500 square feet of outdoor display, area plus 1 per 250 square feet of Floor Area
<b>REPAIR AND MAINTENANCE SERVICES</b>	
Boat Yard	1 per employee
Repair Service, Consumer; Vehicle Repair or Service	2 per employee or service bay, whichever is greater, plus vehicle stacking per Article 9.3.9
Repair Service, Commercial	1 per 400 square feet of office area plus 1 per 2 employees
<b>RETAIL SALES</b>	
Nonstore Retailer	1 per employee plus 2 for deliveries
Fuel Dealer, Heating Oil Dealer; Liquefied Petroleum Gas (Bottled Gas) Dealer	1 per employee plus 2 for deliveries
Home Improvement Center	1 per 400 square feet of Floor Area



Food Sales; Liquor, Beer, or Wine Sales; Convenience Store	1 per 175 square feet of Floor Area
Food Truck	1 per employee plus 1 per 200 square feet of outdoor seating area plus vehicle stacking per Article 9.3.9
Retail Sales or Service, General	1 per 300 square feet indoor floor area plus 5 per acre outdoor <u>storage</u> /display/sales area
<u>Building Materials</u> or <u>Garden Equipment and Supplies Retailers</u>	1 per 200 square feet of <u>floor area</u> not including <u>storage</u> plus 1 per <u>employee</u>
Duplicating or Quick Printing Service; Private Postal or Mailing Service	1 per 300 square feet of Floor Area
Pawn Shop; Warehouse Club or Superstore	1 per 200 square feet of Floor Area
<u>Gasoline Service Station</u>	1 per 200 square feet of <u>Floor Area</u> plus vehicle stacking per Article 9.3.9
<u>Truck Stop</u>	1 per employee plus truck parking plus spaces as required for associated restaurants or Motels
<u>Vehicle Sales; Heavy Duty Truck or Commercial Vehicle Dealer; Manufactured Home Dealer</u>	1 per 2,500 square feet of outdoor display area plus 1 per 250 square feet of Floor Area
Vehicle Parts, Accessories, or <u>Tire Stores</u>	1 per 300 square feet of <u>Floor Area</u> (10 minimum)
<b>RETAIL OR PERSONAL SERVICES</b>	
Consumer Convenience Service	1 per 200 square feet of Floor Area and 1 per employee plus vehicle stacking per Art. 9.3.9
Hair, Nail, or Skin Care Service	2 per employee or work station, whichever is greater
Job Training or Placement Service;	1 per 200 square feet of Floor Area
Personal Improvement Service; Physical Fitness or Health Club; Tattoo Facility	1 per 300 square feet of Floor Area
Services to Buildings or Dwellings; Landscaping and Horticultural Service	1 per employee plus 1 space for deliveries and 1 per each company vehicle to be dispatched from site
<b>VEHICLE AND WATERCRAFT STORAGE</b>	
Vehicle Storage	1 per employees
Impound Yard; Towing Facility	1 per 300 square feet of Floor Area plus 1 per 4,000 square feet of motor vehicle storage area
Boat Ramp	20 per ramp plus spaces as required for associated docks
Community Dock; Commercial Dock	1 per wet slip
Marina	1 per 200 sq. ft. of office area plus 1 per 3 wet slips and 1 per 5 dry stack storage
<b>WHOLESALE SALES</b>	
Wholesale Sales; Clay or Related Products, Construction Material Wholesaler; Flower, Nursery Stock, or Florists' Supplies Wholesaler; Petroleum Wholesaler	1 per 600 square feet for 1st 12,000 square feet plus 1 per 900 square feet for remaining area (over 12,000 square feet)
<b>INDUSTRIAL</b>	
<b>INDUSTRIAL SERVICES</b>	
Laundry, Dry Cleaning, or Carpet Cleaning Plant	1 per <u>employee</u> plus 1 per 3 washing/drying machines if provided for customer <u>use</u>
<u>Photo Finishing Laboratory</u>	1 per 200 square feet of <u>Floor Area</u>
Research and Development Laboratory	1 per 400 square feet
Scrap and Salvage Service	1 per employee plus 2 per acre
<b>MANUFACTURING AND PRODUCTION</b>	
Artisan and Craftsman	1 per 200 square feet
<u>Manufacturing and Production</u> ;→ 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; Pulp Mill or Paper Mill, Rendering Plant; Slaughter House and Meat Packing; Stone or Shell Products Manufacturing and Production	1 per 400 square feet of <u>office area</u> plus 1 per 2 <u>employees</u>
Microbrewery and Distillery	1 per employee plus 1 per 100 square feet of tasting room area
<b>WAREHOUSE AND FREIGHT MOVEMENT</b>	



<u>Warehouse and Distribution Facility</u>	1 per 300 square feet <u>office</u> area plus 1 per 600 square feet for 1 <sup>st</sup> 12,000 square feet warehouse/ <u>storage</u> area plus 1 per 900 square feet for remaining warehouse/ <u>storage</u> area (over 12,000 square feet)
Container Storage Facility; Grain Terminal and Elevator; Stockpiling of Sand, Gravel, or other Aggregate Materials; Fuel Storage Facility; Storage or Manufacturing of Weapons or Ammunition	1 per employee
Freight Forwarding Facility	1 per employee plus 1 per company vehicle
<b>OTHER USES</b>	
<b>RECYCLING SERVICES</b>	
Recycling Center	1 per employee
Recycling Collection Facility	1 per recycle collection container plus 1 per employee
<b>RESOURCE EXTRACTION/MINING</b>	
Resource Extraction/Mining	None
<b>TRANSPORTATION</b>	
<u>Aviation</u> ; Private Air Strip	1 per 5 aircraft tie down or <u>storage</u> plus 1 per 4 seats in waiting room areas
Railroad Facility	1 per 2,500 square feet
<u>Sightseeing Transportation, Land or Water</u>	1 per 2 seats of sightseeing vehicle
<u>Taxi or Limousine Service</u>	1 per <u>employee</u> plus one per vehicle that provides <u>service</u>
Urban Transit <u>Service</u>	1 per 100 square feet of public waiting area plus 1 per two <u>employees</u> and 1 per transit vehicle
<u>Water Transportation</u>	1 per two seats of transportation vehicle plus 1 per <u>employee</u>
[1] <b>Transit-Oriented Development.</b> If the Affordable and/or Workforce Dwelling Unit: Multi-Family; Triplex; and/or Fourplex Development is located within 1,200 feet walking distance of an approved Charleston Area Regional Transportation Authority (CARTA), TriCounty Link, or Lowcountry Rapid Transit (LCRT) stop, the number of required parking spaces can be reduced to the following minimums: one space per studio or one-bedroom unit; one space per two-bedroom unit; and one and a half spaces per three-bedroom and larger units, with Special Exception approval from the Board of Zoning Appeals.	

- B. The minimum off-street parking requirements of a non-residential use resulting from a change of use in an existing Building are not applicable if the following criteria are met:
1. The amount of off-street parking available for the existing use meets or exceeds the minimum requirements for that use; and
  2. No modifications to the Building or site related to the new use will result in a reduction or elimination of off-street parking.

### Sec. 9.3.3 Rules for Computation

- A. **Multiple Uses.** Lots containing more than one use must provide parking and loading in an amount equal to the cumulative total for all uses, unless otherwise approved according to Sec. 9.3.4, *Shared Parking*.
- B. **Fractions.** When the calculation of required parking spaces results in a fractional parking space, in all cases, the result is rounded up to the nearest whole number.
- C. **Measurements.** The independent variables for parking calculations are measured as follows:
  1. The phrase "per sf" means that the number of parking spaces is calculated based on the square feet of gross Floor Area devoted to the use, excluding storage or common areas devoted to hallways, stairwells, elevators, bathrooms, mechanical rooms, and other spaces incidental to the principal use, provided.
  2. The phrase "per employee" means that the number of parking spaces is based on the number of full-time employees, part-time equivalent employees, and volunteers on the work shift when the maximum number of employees are present.
- D. **Occupancy-Based Standards.** For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of Persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces. Occupancy-based standards may be approved by the Zoning and Planning Director, if the parking calculation based on Table 9.3.2, *Off-Street Parking Schedule*, is not compatible with the proposed use.

- E. **Unlisted Uses.** For a use not specifically listed in Table 9.3.2, *Off-Street Parking Schedule*, the Zoning and Planning Director shall apply the standard(s) specified for the listed use that is deemed to be a subcategory of, or most functionally similar to, the proposed use.

#### **Sec. 9.3.4 Shared Parking**

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- A. Off-street parking facilities for separate uses may be provided collectively if the total number of Shared Parking spaces is adequate to serve all uses in a Development.
- B. All parking spaces that serve Buildings or uses must be located within 600 feet from the primary entrance of the use served, unless shuttle bus service is provided to a remote parking area. Parking Lot use must be permitted on subject Parcel, pursuant to Table 6.1-1, *Use Table*.
- C. An Applicant requesting Shared Parking shall submit a Shared Parking plan analysis to the Zoning and Planning Director that clearly demonstrates the feasibility of Shared Parking. The Shared Parking plan must be approved by the Zoning and Planning Director and made available to the public. It must address, at a minimum, the size and type of the proposed Development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Approvals will only pertain to the specific uses addressed in the Shared Parking plan. Any change in use(s) will require a new Shared Parking plan.
- D. Shared Parking areas must be connected by a continuous network of sidewalks and pedestrian crosswalks. Pervious surfaces are preferred for pedestrian accesses, provided such accesses are compliant with Sec. 9.3.56, *Accessible Parking*.

#### **Sec. 9.3.5 Location**

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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. Parking may be designed to cross property lines when accessed by a travelway not dedicated as a right-of-way or easement, as approved by the Zoning and Planning Director. When parking spaces are allowed to cross property lines, a shared access and parking agreement shall be required as described in Sec. 9.3.5.B.4.
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.

B. **Off-Site Parking.** Off-site parking is defined as the required parking not located on the Parcel which the Principal Use is located. Off-site parking is allowed provided it meets the following standards.

1. A maximum of 50 percent of the required parking spaces may be located off-site. Required parking spaces reserved for persons with disabilities shall comply with the regulations under the Americans with Disabilities Act (ADA).
2. Off-site parking must be located within 600 feet from the primary entrance of the use served, unless shuttle bus service is provided to a remote parking area. Off-site parking spaces may not be separated from the use that it serves by Street Rights-of-Way with a width of 80 feet or more, unless a grade-separated pedestrian walkway, traffic control, or shuttle bus service is provided to the remote parking area.
3. Off-site parking areas serving uses located in non-residential Zoning Districts must be located in such non-residential Zoning Districts. Off-site parking areas serving uses located in residential or agricultural Zoning Districts may be located in any Zoning District.
4. In the event that an off-site parking area is utilized, a written, recorded agreement is required. An attested copy of such agreement between the owners of record must be submitted to the Zoning and Planning Director for review and approval. Recording of the agreement with the Register of Deeds must take place before issuance of a Zoning Permit, Building Permit, or Certificate of Occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Article.

If any of the above standards cannot be met, a Special Exception approval pursuant to Art. 3.6, *Special Exceptions*, shall be required.

### Sec. 9.3.6 Accessible Parking

All parking shall comply with the requirements of the Americans with Disabilities Act (ADA) including, but not limited to, the requirements for ADA reserved parking signs and ADA parking markings. A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located, and reserved for use by persons with physical disabilities.

- A. **Number of Spaces.** The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as shown in Table 9.3.6, *Accessible Parking Schedule*. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling off-street parking standards.

Table 9.3.6 Accessible Parking Schedule			
Total Parking Spaces Provided	Minimum Number of:		
	Accessible Spaces	Van-Accessible Spaces	Car-Accessible Spaces
1–25	1	1	0
26–50	2	1	1
51–75	3	1	2
76–100	4	1	3
101–150	5	1	4
151–200	6	1	5
201–300	7	1	6
301–400	8	1	7
401–500	9	2	7
501–1,000	2% of total spaces	1 out of every 8 accessible spaces	7 out of every 8 accessible spaces
Over 1,000	20 + 1 per each 100 spaces over 1,000		

5. **Minimum Dimensions.** All parking spaces reserved for persons with disabilities shall comply with the regulations under the Americans with Disabilities Act (ADA).

### Sec. 9.3.7 Design

- A. **Parking Lot Design.** Dead-end Parking Lot layouts that cause or contribute to poor vehicular circulation are prohibited unless determined by the Zoning and Planning Director that all other site configurations and options to comply with the required number of parking spaces have been exhausted.
- B. **Dimensional Standards.** Drive aisle widths and parking space dimensions shall comply with the standards in Table 9.3.7, *Aisle Width and Parking Space Dimensions*.
- C. **Compact Spaces.**
- Up to 30 percent of parking spaces may be designed for use by cars smaller than full-size cars.
  - Compact spaces must be located in continuous areas and may not be interspersed with spaces designed for full-size cars.
  - Compact spaces must be clearly designed by Pavement marking and labeled as “Compact Cars Only.”
  - Stall dimensions for compact spaces are reduced to 7'-6" X 15.
  - Compact spaces cannot be used as required ADA parking spaces.
  - Compact spaces cannot be used as required Electric Charging Stations.

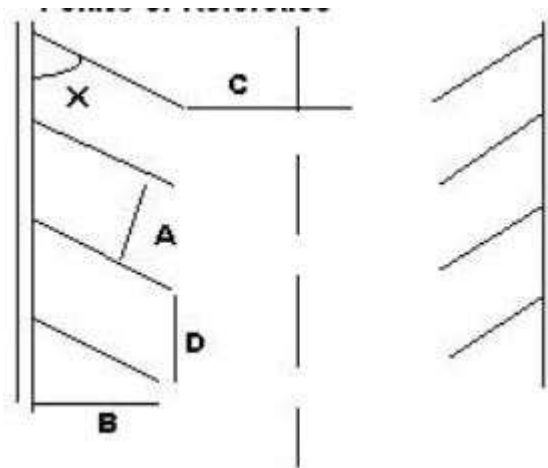
Table 9.3.7-1 Aisle Width and Parking Space Dimensions				
X°	Stall Width (A)	Stall Depth (B)	Aisle Width (C)	Skew Width (D)
60°	9' 0"	17' 0"	17' 0"	10' 5"
	--	--	*One Way	--

**Table 9.3.7-1  
Aisle Width and Parking Space Dimensions**

$X^\circ$	Stall Width (A)	Stall Depth (B)	Aisle Width (C)	Skew Width (D)
45°	9' 0"	19' 1"	11' 0"	12' 9"
	--	--	*One Way	--
30°	9' 0"	16' 10"	9' 0"	18' 0"
	--	--	*One Way	--
0°	9' 0"	23' 0"	12' 0"	--
	--	--	*One Way	--
90°	9' 0"	18' 0"	23' to 27'	--
	--	--	*Two Way	--

Note: Two-way drive aisles in parking areas shall always require a minimum width of 23 feet.

**Figure 9.3.7  
Design Illustration**



C. **Landscaping.** See Article 9.4, *Landscaping, Screening, and Buffering*.

D. **Markings and Surface Treatment.**

1. ADA reserved parking signs and ADA parking markings shall be in compliance with the Americans with Disabilities Act.
2. Each parking space must be identified by surface markings at least four inches in width, which must be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, maneuvering, queuing, and storage of vehicles.
  - a. No more than 70 percent of all developable land within Parcels may be impervious, unless approved by the Zoning and Planning Director.
  - b. 30 percent of parking spaces must have a pervious surface.
3. One-way and two-way ingress and egress driveways shall be marked by directional arrows.
4. *Unpaved Parking Areas.*
  - a. All parking spaces must have a minimum four-inch Curb stop to delineate the location of each space and to prevent Encroachment onto adjoining properties, Rights-of-Way, or landscaped or pervious areas.
  - b. All Parking Lots must have an all-weather surface, such as gravel, slag, or another approved pervious surface, excluding asphalt shingles. Ingress and egress drives serving unpaved Parking Lots accessed from a paved Street must be paved from the edge of the Street pavement for a minimum distance of 20 feet into the Subject Property.
  - c. For surfaces that cannot be marked with directional arrows, directional signage is required to mark one-way ingress and egress driveways.

**E. Access.**

1. Required Parking spaces shall not have direct access to a Street or highway, nor may they be configured in a way that requires backing into or otherwise re-entering a Street or highway. Access to Required Parking spaces shall be provided by on-site ingress and egress drive. Access drives shall be a minimum of 20 feet wide and have an all-weather surface.
2. Curb Cuts for ingress and egress drives may not be wider than 30 feet; however, ingress and egress that is separated by a median strip may be expanded to a maximum width of 60 feet, provided medians shall be a minimum of five feet in width and fifteen feet in length. Where not specifically prohibited by the agency responsible for the maintenance of the intersecting Right-of-Way, a planted median shall be required.
3. Curb cuts for ingress and egress drives are allowed in accordance with Table 9.3.7-2, *Number of Ingress/Egress Drives*:

Table 9.3.7-2 Number of Ingress/Egress Drives	
LENGTH OF PROPERTY FRONTAGE	MAXIMUM NUMBER OF DRIVES
250 feet or less	1 <sup>[1]</sup>
251 feet to 1,500 feet	2
1,500 feet or more	3

Table Notes:

1. On frontages of 250 feet or less, a pair of one-way drive may be substituted only if the agency responsible for the maintenance of the intersecting Right-of-Way determines the design feasible.

4. Ingress and egress drives shall be located at least 100 feet from the edge of Right-of-Way of any Street intersection. If the subject Lot has less than 100 feet of Frontage and is not within a common Development with other points of access, the Zoning and Planning Director may alter this requirement by the minimum necessary to provide reasonable access. Ingress or egress drives other than those designated as entrance or exit drives are prohibited.
5. Access to Dwelling Units shall comply with the International Fire Code, as adopted by County Council.
6. A pair of one-way drives must be separated by at least 100 feet and must comply with the vision clearance requirements contained in Art. 9.7, *Vision Clearance*.
7. Stop signs and stop bars shall be installed as required by the Director of the Zoning and Planning Department and Director of the Public Works Department.
8. Safety Services may be allowed additional curb cuts up to 60' in width and without a median, as approved by the Zoning and Planning Director and the agency responsible for the maintenance of the intersecting Right-of-Way, to provide for ingress and egress of emergency vehicles from their staging area.
9. For properties within the Urban/Suburban Area, the Directors of the Zoning and Planning and Public Works Departments may require Rights-of-Way that provide access to be paved in compliance with Appendix A of this Ordinance.

**Sec. 9.3.8 Use and Maintenance**

**A. Use.**

1. Off-street parking areas shall be used solely for parking licensed, Motor Vehicles in operating condition.
  2. Spaces may not be used for the display of goods for sale or lease, Motor Vehicle repair or service work of any kind, display of signs, or for long-term storage of vehicles, boats, motor homes, campers, Manufactured Housing Units, or Building materials.
- B. Off-street driveways, parking surfaces, drive aisles, and traffic control devices shall be kept in good condition and parking space lines and Pavement markings on paved Lots shall be kept clearly visible at all times.

**Sec. 9.3.9 Vehicle Stacking**

- A. **Minimum Number of Spaces.** Off-street stacking spaces shall be provided as shown in Table 9.3.9, *Vehicle Stacking Requirements*.

**Table 9.3.9,  
Vehicle Stacking Requirements**

Activity Type	Minimum Spaces	Measured From
Bank teller lane	3	Teller Window
Automated teller machine	2	ATM
Restaurant drive-through	5	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Restaurant, drive-through	4	Pick-Up Window, if no Order Box exists
Car wash stall, automatic	4	Entrance
Car wash stall, self-service	3	Entrance
Dry Clean Service	3	Pick up Window
Gasoline pump island	2	Pump Island
Vehicle Repair or Service	2	Service Bay/Space
Other	Determined by Zoning and Planning Director	

**B. Design and Layout.** Required stacking spaces are subject to the following design and layout standards:

1. Spaces must be a minimum of nine feet by 18 feet.
2. Spaces may not impede on- or off-site traffic movements or maneuvering into or out of parking spaces.
3. Spaces must be separated from other internal driveways by directional markings for traffic movement and safety.
4. The Zoning and Planning Director may require pick-up and drop-off loop drives with sufficient vehicle stacking lanes to prevent vehicle backups into internal travel lanes and Parking Lots for school, adult and child day care facility, public assembly, and conference facility uses.
5. Stacking lanes shall be designed with an abutting 12-foot-wide bypass lane.

## ARTICLE 9.4 LANDSCAPING, SCREENING, AND BUFFERS

### Sec. 9.4.4 Landscape Buffers

#### A. Right-of-Way Buffers.

1. *Applicability.* Right-of-Way buffers shall be required adjacent to road Rights-of-Way and ingress/egress Easements for all uses except for agricultural and Residential Uses existing on or prior to November 20, 2001. Minor Subdivisions may not have to comply with the requirements of this Section if the Zoning and Planning Director determines that compliance is not necessary to satisfy the purposes of this Ordinance.
2. *Buffer Types by Roadway.* Landscape Buffers are required along Roadways in accordance with Table 9.4.4-1, *Buffer Types by Roadway*. Streets, Rights-of-Way, and ingress/egress Easements not indicated in this table shall comply with the Type B buffer requirements.
3. *Development within Buffer Areas.*
  - a. No Development, storage, or display may occur within required buffer areas except for sidewalks and permitted drives and Signs;
  - b. All buffer areas shall accommodate the required Plant materials;
  - c. Drainage swales and stormwater Detention ponds may be placed in the buffer only when Protected Trees and Grand Trees are not endangered and when they meander through the buffer in a natural manner; and
  - d. Stormwater ponds and swales may not occupy more than 25 percent of the buffer depth.

**Table 9.4.4-1, Buffer Types by Roadway**

Roadway	Buffer Type	Notes	Buffer Type
Abbapoola Road	G	Main Road (Limehouse Bridge to Maybank Hwy.)	I
Ashley Hall Road	B	Main Road Corridor Overlay Zoning District	[3]
Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	B	Main Road (Bees Ferry Road to Limehouse Bridge)	G
Hwy. 61/Ashley River Road (Mark Clark Expressway to Church Creek)	E	Manse Road	G
Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1]	I	Mark Clark Expressway	I
Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line) [1]	J	Mary Ann Point Road	E
Bears Bluff Road	I	Mathis Ferry Road [1]	G
Bees Ferry Road	G	Maybank Highway Corridor Overlay Zoning District [Johns Island]	[2]
Belvedere Road	G	Maybank Highway Corridor Overlay Zoning District [James Island]	[4]
Betsy Kerrison Parkway [1]	I	Maybank Highway (Main Road to Rockville)	I
Bohicket Road [1]	I	Meeting Street	B
Botany Bay Road [1]	I	Murraywood Road	G
Brownswood Road	G	Old Georgetown Road	G
Cane Slash Road	G	Liberia Road	G
Chisolm Road	G	Old Georgetown Road in the "Loop" area (designated on the Mount Pleasant Overlay map)	B
Chuck Dawley Boulevard	B	Old Jacksonboro Road	G
Coleman Boulevard	B	Old Pond Road	G



Doar Road	G	Old Towne Road	B
Dorchester Road	A	Orange Grove Road	B
Eddingsville Beach Road	G	Orleans Road	B
Edenvale Road	G	Parkers Ferry Road	G
Fort Johnson Road [1]	E	Patton Avenue/Fickling Hill Road	G
Hamlin Road	E	Peters Point Road	G
Harborview Road	B	Pine Landing Road	G
Highway 162	G	Plow Ground Road	G
Highway 165	G	Raccoon Island Road	G
Highway 17 (Hwy. 41 to County Line)	I	Rifle Range Road	E
Highway 17 (east of Isle of Palms Connector to Hwy. 41, not including Old Georgetown Hwy "Loop" Area)	G	River Road [1]	I
Highway 17 in the Old Georgetown Road "Loop" area (as designated on the Mount Pleasant Overlay map)	B	Riverland Drive [1]	G
Highway 17 (west of Isle of Palms Connector including bypass)	B	Rivers Avenue	B
Highway 174 (Highway 164 to Edisto Beach) [1]	I	Rutledge Road	G
Highway 174 (Highway 17 to Highway 164)	E	Saint Andrews Boulevard	B
Highway 41	G	Savannah Highway [Bees Ferry Rd. to County Line] otherwise C	E
Highway 45	G	Seewee Road	G
Humbert Road	E	South Santee Road	G
Hyde Park Road	G	Steamboat Landing Road (Jenkins Hill to Steamboat Creek)	G
James Island Bridge/Highway 61 Connector	C	Tibwin Road	G
James Island Expressway	G	Toogoodoo Road	G
Liberia Road	G	Venning Road	E
Long Point Road (SPA Wando Terminal to I-526)	B	Wappoo Road	B
Long Point Road (Outside of MP-O District) [1]	G	Wescott Road	G
Magwood Road	E	Willtown Road	G

[1] Denotes Scenic Road designation that shall require protection under the provisions of this Ordinance of all Trees 6 inches or greater in Diameter Breast Height (DBH) which are located within Rights-of-Way.

[2] Buffer type as described in the Johns Island Maybank Highway Corridor Overlay Zoning District.

[3] Buffer type as described in the Main Road Corridor Overlay District.

[4] Buffer type as described in the James Island Maybank Highway Corridor Overlay Zoning District.

4. *Buffer Depth and Planting Standards. (See Table 9.4.4-3)*
5. *The Zoning and Planning Director is authorized to reduce the depth of a required Right-of-Way buffer as follows:*
  - a. A required Right-of-Way buffer not within an Overlay Zoning District may be reduced by up to one-third its depth when the following circumstance exist:



1. The Parcel is located on a Corner Lot with required Right-of-Way buffers of 35 feet or more; or
  2. The area of all the required buffers, including land use buffers and Tree protection areas, exceeds 30 percent of the site.
- b. A required Right-of-Way buffer of 35 feet or less located within the Urban/Suburban Area defined by the Urban Growth Boundary (UGB) and not within an Overlay Zoning District may be reduced as follows:
1. When no parking or vehicular use area is located between the building and the Right-of-Way, the required buffer may be reduced to no less than eight feet (Type A land use buffer) provided the site layout and building elevations meet all applicable sections of Article 9.5, *Architectural and Landscape Design Standards*.
  2. When no more than 10 parking spaces are located between the Building and the Right-of-Way the required buffer may be reduced to no less than 15 feet (Type B buffer) provided the site layout and Building elevations meet all applicable sections of Article 9.5, *Architectural and Landscape Design Standards*.
  3. Buffers required on Parcels that are part of redevelopment that preserves existing Structures may be reduced up to a depth no less than 10 feet (Type A land use buffer) in order to meet the parking and Tree preservation requirements of this Ordinance.
  4. Buffers are not required along newly created internal Rights-of-Way and ingress/egress Easements on Parcels containing exclusively Duplex, Triplex, Fourplex, or Single Family Attached Dwellings.
- c. The Zoning and Planning Director may require additional site improvements, including but not limited to, enhanced Building architecture and materials and/or increased plant material sizes and density when a buffer reduction is granted.

**B. Land Use Buffers.**

1. *Applicability.* Land use buffers shall be provided in accordance with the standards of this Section. In the case of conflict between the land use buffer requirements of this section and those contained in [CHAPTER 6, Use Regulations](#), of this Ordinance, the land use buffer requirements contained in [CHAPTER 6, Use Regulations](#), shall govern.
2. Single-Family Detached Dwelling Units on individual Lots are exempt from the land use buffer requirements of this Section.
3. The Zoning and Planning Director is authorized to modify or waive the buffer or landscape planting requirements and may require that additional plant material be added within remaining buffers or elsewhere on the site, as described below:
  - a. When buffers will not serve any useful purpose due to the location of the following as determined by the Zoning and Planning Director: fences, walls, berms, or landscaping of at least equivalent height, opacity, and maintenance; uses; vehicles; buildings; structures; or storage; parking; loading; display or service areas; or
  - b. The Zoning and Planning Director is authorized to allow a one-third reduction of required buffers, if all required buffers would exceed 25 percent of the site proposed for Development.
4. *Determination of Required Buffers.* The following procedure shall be used in determining which of the buffer types in Table 9.4.4-2, *Land Use Buffers*, apply:
  - a. Determine the type of proposed use for the site being developed. (Column 1);
  - b. Determine the residential use type (if residential) or the Zoning District that exists on the adjacent Parcel. This is the "Adjacent Site's Use or Zoning";
  - c. At the intersection of the proposed use and the use or zoning of the adjacent site, identify the land use buffer type (A, B, C, D, E, or F) required along the developing site's boundary(ies); and

d. Lastly, refer to Table 9.4.4-3, *Buffer Depth and Landscaping Standards*, for the applicable buffer type.

5. *Land Use Buffer Table*. Land use buffers are required along Side and Rear Yards in accordance with the requirements of the following table:

Table 9.4.4-2, Land Use Buffers									
Proposed Use	Use or Zoning of Adjacent Site								
	Residential Type			Civic/Institutional	Commercial Type		Industrial Type		Agricultural
	1	2	3		1	2	1	2	
Agricultural	B	B	B	-	-	-	-	-	-
Residential Type 1	-	-	-	-	-	-	-	-	-
Residential Type 2	A	-	A	B	B	C	E	F	B
Residential Type 3	B	A	-	A	B	C	E	F	B
Civic/Institutional	B	B	A	-	B	C	D	E	B
Commercial Type 1	B	B	B	A	-	A	D	E	B
Commercial Type 2	D	D	D	D	-	-	D	D	D
Industrial Type 1	H	H	G	F	E	D	-	A	G
Industrial Type 2	J	J	J	J	G	E	A	-	I

General Notes:

Residential Use Types:  
 Type 1 = Single family Detached and undeveloped Residential Lots; Type 2 = Duplex and Single family Attached; Type 3 = Triplexes, Fourplexes, and Multi-Family and all other residential use types, including Manufactured Housing Parks

Commercial Use Types:  
 Type 1 = Any commercial use allowed by right in an RO, GO, or NC district and undeveloped Commercial Lots; Type 2 = all other commercial uses

Industrial Use Types:  
 Type 1 = Any industrial or commercial use that is first allowed in an industrial (IN) Zoning District and undeveloped Industrial Lots; Type 2 = Waste-Related uses and Recycling Centers.

6. *Buffer Depth and Landscaping Standards*.

Table 9.4.4-3, Buffer Depth and Landscaping Standards										
Standard	Buffer Type									
	A	B	C	D	E	F	G	H	I	J
<b>MINIMUM BUFFER DEPTH</b> (feet from property line) [1]	10	15	20	25	35	40	50	60	75	100
<b>MINIMUM LAND USE BUFFER LANDSCAPING (Plants per 100 linear feet) [2] [3]</b>										
Canopy Trees [4]	2	2	2	3	4	5	6	7	9	12
Understory Trees (at least 50 percent evergreen)	3	3	4	4	6	7	9	10	12	15
Shrubs	20	25	30	35	40	45	50	55	60	75

TABLE NOTES:

1. Buffers may be traversed by permitted driveways and pedestrian ways.
2. The retention of natural buffers is required along all road or street Rights-of-Way of Buffer Type C designation or greater. The Zoning and Planning Director is authorized to waive or modify the 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.
3. Bradford Pears cannot be used to fulfill any of the Tree requirements of this Ordinance. Any exotic species proposed by a designer are subject to approval by the Zoning and Planning Director.
4. Palmetto Trees may be substituted to fulfill the Canopy Tree requirements. These Trees are to be planted at a ratio of three Palmetto Trees for each Canopy Tree and are to be planted in groupings of three.

GENERAL NOTES:

1. The Zoning and Planning Director shall be authorized to require the installation of Berms within required buffers where deemed necessary to protect the visual quality of a road corridor or ensure land use compatibility.

2. All Trees with a Diameter Breast Height (DBH) of eight inches or greater within buffers shall be preserved.

**C. General.**

1. *Location of Buffers.* Buffers shall be located along the perimeter of a Lot or Parcel and shall extend to the boundary of the Lot or Parcel. They shall not be located on any portion of public Right-of-Way. Where drainage or other utility Easements exist along property lines, required Landscape Buffers shall be located adjacent to the Easement and may be reduced in width by the width of the Easement, but in no case shall the buffer width be less than 10 feet and shall be located adjacent to the Easement. Required buffers shall be noted on all Plats, plans and permit requests submitted for review and approval under this Ordinance.
2. *Plant Material within Buffers.* Plant material shall be selected and spaced properly to allow the Plants to thrive considering site specific conditions. Plant materials located adjacent to public Drainage Easements and Right-of-Ways shall be selected and placed so as not to impede access or maintenance, including low-lying lateral branches. Additionally, plant material within required buffers that contain Utility Easements shall be selected and located to minimize pruning for future maintenance and clearance of such Utilities. All selections are subject to the review and approval of the Zoning and Planning Director and may also require modifications (substitutions and relocation) of plant materials on proposed landscape plans when necessary to assure access and ease of maintenance to any Easements or Rights-of-Way and to preserve the public health, safety, and welfare.
3. *Use of Buffers.* The Zoning and Planning Director is authorized to allow On-Premises Signs, Fences, Walls, Berms, mailboxes, access to community Boat Ramps, permitted driveways, and sidewalks within required buffers. Other improvements may be allowed within buffers if the Zoning and Planning Director determines that such improvements will not detract from the intended purpose and function of the buffer or have any adverse effect on adjacent property.

**Sec. 9.4.5 Landscape Plans**

Landscape and planting plans submitted to meet the requirements of this Article shall be drawn to the same scale as the Site Plan. Trees and Shrubs shall be depicted at maturity. Landscape plans shall be prepared by a licensed, registered Landscape Architect whenever the area of land disturbance or Development activity exceeds one acre or when the total area of proposed Building footprint exceeds 5,000 square feet. For all other projects, use of a licensed registered Landscape Architect or Landscape Designer familiar with the growth habits and characteristics of plant material available in the Charleston area is recommended.

**Sec. 9.4.6 Landscape Material Standards**

**A. Plant Materials.**

1. *Existing Plant Materials.* Utilization of vegetation and Plant materials that exist on a Parcel prior to its Development may be used to satisfy the landscaping standards, provided they meet the size and locational requirements of this Article, is strongly encouraged.
2. *Size.* Unless otherwise expressly stated, all Plant materials used to satisfy the requirements of this Ordinance shall meet the following minimum size standards:

Table 9.4.6, Plant Material Size	
PLANT TYPE	MINIMUM SIZE
Canopy Tree	2 1/2 inches caliper and 12 feet in height
Understory/Ornamental Tree	Eight feet (height)
Evergreen/Conifer Tree	Five feet (height)
Shrubs	Three gallon and 18 inches to 24 inches in height or spread

TABLE NOTE: At least 50 percent of the required Understory Trees shall be evergreens. Any Plant material that grows to an ultimate height of less than 18 inches shall be considered Ground Cover and shall not be used to fulfill any of the Shrub requirements of this Ordinance.

1.

3. *Species.* Species of Plant material used to satisfy the requirements of this Article shall be indigenous to the Charleston County area or cultivated to survive in this climate. However, the use of indigenous Plants is preferred. No single Plant species shall represent more than 40 percent of the total landscape plantings per plant type, except for projects whose landscape requirements for Canopy Trees are less than 10 Trees.

4. All Plants installed to satisfy the requirements of this Section shall meet or exceed the Plant quality standards of the most recent edition of American Standard for Nursery Stock, published by the American Association of Nurserymen. Plants shall be nursery-grown and either balled-and-burlapped or container-grown.
5. *Additional Landscape Treatment.* All required landscape and buffer areas, including drainageways and detention/retention ponds, not dedicated to Trees, Shrubs or preservation of existing vegetation shall be landscaped with grass, Ground Cover, or another landscape treatment, excluding sand, rock, or Pavement. All grass areas are to be installed using proper and accepted landscape methods to assure germination and erosion control.

**B. Berms and Landscape Structures.**

1. *Fences and Walls.* Fences and Walls used as screens shall be at least 95 percent opaque, with a minimum height of six feet. Fences must provide an opening for surface water flow every 20 linear feet.
2. *Berms.* Earthen Berms shall have a minimum height of three feet, with a slope not to exceed 3:1, which may vary depending on the soil type and plant materials used. The toe of any Berm shall be located at least three feet from any Right-of-Way or property line.

## **ARTICLE 9.5 ARCHITECTURAL AND LANDSCAPE DESIGN STANDARDS**

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### **Sec. 9.5.1 Purpose and Applicability**

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The purpose of these standards is to promote attractive, well-designed, and sustainable Development that is built to human scale and sensitive to the character of the Lowcountry; to promote and protect the appearance, character, and economic value of new Development; to encourage creativity in new Development (as opposed to homogeneity or "look-alike" projects); and to foster attractive streetscapes and pedestrian environments, while accommodating safe vehicular movement and access.

These standards shall apply to all Developments that are subject to Site Plan Review pursuant to Art. 3.7 of this Ordinance.

### **Sec. 9.5.2 Architectural Design Guidelines**

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The intent of the Architectural Design Guidelines is to assure respect for the character, integrity, and quality of the built and natural environments of the county; it is not intended to stifle innovative architecture. The following criteria shall be used in evaluating applications:

#### **A. General Design.**

1. Single, large Building masses shall be avoided. Structures with walls of more than 1,500 square feet shall incorporate fascias, canopies, arcades, Building Setbacks of three feet or more or other multidimensional design features to break up large wall surfaces on their Street-facing elevations. Wall surfaces shall be visually divided by such features into areas of 750 square feet or less. Properties in Industrial Zoning Districts shall be exempt from these standards, except for any Street-Facing Facade.
2. All elevations of a Structure shall be in harmony, one with another, in terms of scale, proportion, detail, material, color, and high design quality.
3. The side and rear elevations of Buildings shall be as visually attractive as the front elevation, especially where those side or rear elevations are most often viewed by the public. Rooflines and architectural detailing shall present a consistency in quality design. Properties in Industrial Zoning Districts shall be exempt from these standards.
4. All Structures within a proposed Development, including gasoline canopies, shall utilize a uniform architectural theme and shall be designed to create a harmonious whole. It is not to be inferred that Buildings must look alike to achieve a harmony of style. Harmony of style can be created through property considerations of scale, proportion, detail, materials, color, site planning, and landscaping.
5. The scale of Buildings and Accessory Structures (including canopies) shall be appropriate to the scale of Structures located in the surrounding area. Canopies designed as domineering or overpowering architectural features are strongly discouraged.
6. Long, monotonous Facade design, including, but not limited to, those characterized by unrelieved repetition of shape or form, or by unbroken extension of line, shall not be permitted.
7. The architectural design and material finish of Buildings, signage, gasoline pump canopies, and other necessary Structures shall be compatible with one another and with adjacent and surrounding Structures where such Structures are substantially in compliance with these requirements.
8. Structures that are of symbolic design for reasons of advertising shall not be permitted. A symbol or symbols attached to a Building shall not be allowed unless it is secondary in appearance to the Structure and landscape and is an aesthetic asset to the Building and surrounding area.
9. The location and dimension of Wall Signs shall be indicated upon the architectural elevations of proposed Structures and shall maintain compatibility with the architectural features of the Structure.

#### **B. Building Materials.**

1. Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, sandblasted or covered with a cement-based acrylic coating shall be prohibited as an exterior Building material along any Building elevation visible from public Rights-of-Way.
2. Metal siding shall not cover more than 40 percent of the exterior Building along any Building elevation visible from public Rights-of-Way.
3. Mirrored glass with a reflectance greater than 40 percent shall be prohibited from covering more than 40 percent of the exterior walls of any Building.

4. Materials shall express their function clearly and honestly and shall not appear as materials which are foreign to the character of the rest of the Building.
5. Any Building exterior elevation shall consist of architectural materials that are equal in quality, appearance, and detail to all other exterior elevations of the same Structure. Nothing in this Section shall preclude the use of different materials on different exterior elevations of the same Structure so long as those materials maintain the architectural unity and integrity of the entire Structure.
6. Shingles, metal standing seam, tile, or other roofing materials with similar appropriate texture and appearance shall be utilized. Flat roofs will not be discouraged where they are appropriate to the design theme of a Structure.

**C. Building Color.**

1. Color shades shall be used to unify the Development.
2. Color combinations of paints shall be complementary. In no case shall garish colors be permitted. In general, no more than three different colors per Building shall be allowed.

**D. Multiple-Building Developments.** Each individual Building within a Development shall feature predominant characteristics including, but not limited to, consistent rooflines, use of compatible proportions in Building mass and outdoor spaces, complementary relationships to the Street, similar window and door patterns, and the use of complementary Building materials in terms of color, shades, and textures. Monotony of identically designed multiple Building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. The use of different textures, shadow lines and contrasting shapes may also be used to provide visual interest.

**E. Building Orientation.**

1. Where it is reasonably practical, proposed Buildings shall not impede scenic rural views from the adjacent road, from existing Buildings, or from natural settings.
2. Buildings should be oriented in a manner that minimizes land disturbance and limits impact to the natural features on the site.
3. To the maximum extent feasible, primary Facades and entries should face the adjacent street. Except in Industrial districts, a main entrance shall face the adjacent Street or a connecting walkway with a direct pedestrian connection to the Street limiting crossings through Parking Lots or driveways.
4. Buildings shall be oriented so that loading areas shall not face Residential districts or uses, existing Rights-of-Way, or from planned future Rights-of-Way, except for properties within the IN District and for Safety Services. Loading areas may be oriented toward adjoining developed properties which are commercially zoned or toward adjoining properties eligible for future commercial Development if and only if they are screened from view by the use of fencing or Walls which are compatible with the overall architectural scheme of the project.
5. All corner Developments shall have Buildings located close to the corner. The majority of the parking shall be located behind the front-most Facades of the Building.
6. Buildings in all Developments shall address the Street with the majority of the parking to the side and rear.
7. All Buildings shall be sited so that a direct relationship with the primary street is established. The architecture, landscaping, and Building siting must work in concert to create a unified appearance.
8. Buildings shall be sited so that gasoline pump dispensers are located to the side of the Building or located behind the Building(s) so that the Building(s) is between the pumps and the primary Street or Easement Frontage. If located on a Corner Lot, the Building(s) shall be situated in the corner of the Lot at the intersection.
9. The following shall be required for Gasoline Service Stations without convenience stores: A combination of landscaping and architectural Wall at least four feet in height shall be required to screen the gasoline pump dispensers from the Right of Way or Easement.

**F. Mechanical Equipment and Trash Receptacle Screening.** Locations of all mechanical equipment and dumpsters shall be shown on all site plans. All mechanical equipment and trash receptacles shall be shielded and screened from public view, Mechanical equipment shall be shielded with Walls, Fencing, or landscaping that entirely screens the

equipment. Dumpsters shall be screened with a minimum six-foot opaque Fence or Wall on all four sides and located toward the side or rear of the Principal Structure.

- G. All order boxes, menu stands, pickup windows, and service/teller windows shall be located to the side or rear of Buildings. The majority of required vehicle stacking associated with drive-through services shall be located to the side or rear of Buildings. Any required vehicle stacking located in front of Buildings shall require an architectural wall of at least 30 inches in height to be constructed along the back edge of the Right-of-Way Buffer and span either the frontage of the property or the Building frontage plus 50 feet on each side, whichever is less. For the purpose of this Section, the side or rear shall mean the area behind a projected line running parallel from the front (Street facing) side(s) of the Structure to the side property lines. This concept is depicted in the graphic below:

**Figure 9.5.2, Drive-through Equipment**



## ARTICLE 9.6 TRAFFIC IMPACT STUDIES

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### Sec. 9.6.1 Purpose

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- A. A Traffic Impact Study is a specialized engineering study that evaluates the effects of a proposed Development on the surrounding transportation network.
- B. Review and Decision-Making Bodies use a Traffic Impact Study to evaluate whether a proposed Development is appropriate for a site given its projected impact on the transportation network and the type of transportation improvements necessary to accommodate the Development. A Traffic Impact Study enables Review and Decision-Making Bodies to:
  - 1. Evaluate the impact of site-generated traffic on the quality of traffic flow within a reasonable distance of the Development site;
  - 2. Evaluate the impact of site-generated traffic on affected intersections in the vicinity of the Development site;
  - 3. Evaluate traffic operations and impacts at site access points under projected Peak Hour traffic volumes;
  - 4. Evaluate the impact of the proposed Development on existing residential Subdivision Streets in the vicinity of the site;
  - 5. Ensure that site access and other improvements needed to mitigate the traffic impact of the Development meet commonly accepted engineering design standards; and
  - 6. Ensure the provision of adequate facilities for pedestrians, transit users, and bicyclists.

### Sec. 9.6.2 General

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- A. All Traffic Impact Studies shall be signed by a Professional Engineer (PE) registered to work in South Carolina, unless exempted from this requirement by the Public Works Director.
- B. Traffic Impact Studies are required if the proposed Development contains one or more of the following:
  - 1. 100 or more vehicle trips;
  - 2. Drive-through service;
  - 3. More than 6 fuel dispensing units;
  - 4. Existing and/or new non-residential Development that includes more than 10,000 square feet of heated and/or cooled space;
  - 5. Five or more acres;
  - 6. Restaurants with more than 4,000 square feet of gross Floor Area;
  - 7. 45 or more Dwelling Units; or
  - 8. Resource Extraction uses.

A Traffic Impact Study for proposed Developments that do not meet the above requirements may be required, at the discretion of the Zoning and Planning Director.



## CHAPTER 12 | DEFINITIONS

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### ARTICLE 12.1 TERMS AND USES DEFINED

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#### TERM DEFINITION

##### D

**Dwelling, Multi-Family** A Structure containing three or more Dwelling Units, including residential condominiums and apartments. This does not include Single-Family Attached Dwelling Units, Duplexes, Triplexes, or Fourplexes which are separately defined in this Chapter.

**Dwelling, Single-Family Attached** The use of a site for two or more Dwelling Units, constructed with common or abutting walls, which may or may not be located on a separate Lot. Also known as townhouses or rowhouses.

**Fourplex** A Structure that consists of four Dwelling Units, typically two on the ground floor and two above. Structure has a single entrance from the Street that serves all four Dwelling Units and leads to a shared corridor within the Structure from which the Dwelling Units are accessed. The Dwelling Units are not entered into directly from the Street.

##### T

**Triplex** A Structure that consists of three Dwelling Units, typically two side-by-side on the same floor and the third on a separate floor with a shared entry.