

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, TO ALLOW THE PUBLIC WORKS DIRECTOR TO WAIVE THE ZLDR TRAFFIC IMPACT STUDY REQUIREMENTS ON SCDOT RIGHTS OF WAY AT THE FOLLOWING DOCUMENT LOCATIONS: CHAPTER 9, DEVELOPMENT STANDARDS

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 9, Development Standards, 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 text amendment based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed ZLDR amendment meets the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the amendment attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent

jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.


SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

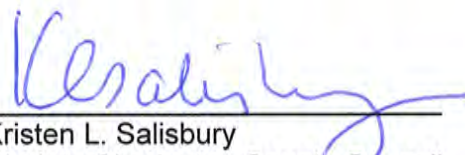
ADOPTED and APPROVED in meeting duly assembled this 30th day of January 2024.



CHARLESTON COUNTY COUNCIL

By: 
Herbert R. Sass, III
Chairman of Charleston County Council

ATTEST:

By: 
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: December 21, 2023
Second Reading: January 11, 2024
Third Reading: January 30, 2024

EXHIBIT "A"

Traffic Study Exemption

ARTICLE 9.6 TRAFFIC IMPACT STUDIES

Sec. 9.6.2 General

- 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. Traffic Impact Studies may also be required at the discretion of the Zoning and Planning Director.
 - 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 a proposed Development may be waived, at the discretion of the Public Works Director on a SCDOT right of way.

- C. The completion date of any Traffic Impact Study submitted to satisfy the requirements of this Article shall be no more than six months prior to the date the application is submitted to the County.