

Planned Development Guidelines

for

LINNEN PLACE

**Christ Church Parish
Charleston County, South Carolina**

**Date: August 2007
REVISED FEBRUARY 2011
REVISED JUNE 2011 FOR FINAL CONDITIONS**

**DEVELOPMENT GUIDELINES
PLANNED DEVELOPMENT DISTRICT**

Linnen Place

Christ Church Parish
Charleston County, South Carolina

A Development of

**Hamlin Place, LLC
110 Sangaree Parkway
Summerville, SC 29483
843-875-3080**

Report Prepared By:

**Civil Site Environmental (CSE)
668 Marina Drive, Suite B-1
Charleston, SC 29492
843-849-8945**

Linnen Place

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I. INTRODUCTION

INTRODUCTION

1. Project Description

Hamlin Place LLC proposes to construct a single-family detached residential development on approximately 22.40 acres of land located on Hamlin Road in Charleston County, South Carolina. The tract is located approximately 1,440' south of U.S. Highway 17. The tax map numbers for the tracts that are part of the PD are:

578-00-00-049	578-00-00-050	578-00-00-052	578-00-00-477
578-00-00-478	578-00-00-479	578-00-00-480	578-00-00-481
578-00-00-482	578-00-00-483	578-00-00-484	578-00-00-485
578-00-00-486	578-00-00-487	578-00-00-488	578-00-00-489
578-00-00-490	578-00-00-491	578-00-00-492	578-00-00-493
578-00-00-494	578-00-00-495	578-00-00-496	578-00-00-497
578-00-00-498	578-00-00-499	578-00-00-500	578-00-00-501
578-00-00-503	578-00-00-506	578-00-00-507	578-00-00-508
578-00-00-509	578-00-00-510	578-00-00-511	578-00-00-512
578-00-00-513	578-00-00-514	578-00-00-515	578-00-00-516
578-00-00-517	578-00-00-518	578-00-00-519	578-00-00-520
578-00-00-521	578-00-00-522	578-00-00-523	578-00-00-524
578-00-00-525	578-00-00-526	578-00-00-527	578-00-00-528
578-00-00-529	578-00-00-530	578-00-00-531	

The 0.071 acre H.O.A. space shown on the *Final Plat Showing Linnen Place Subdivision (Phase 1), Lots 1-17 and 44-51, Property of Hamlin Place LLC, Located Near Mount Pleasant, Christ Church Parish, Charleston County, South Carolina* (Dated August 1, 2009; recorded Dec 4, 2009 PB L09 Page 0487) is an insignificant piece and will be abandoned and deeded by the H.O.A. to Hamlin Place, LLC. This 0.071 acre piece will be incorporated with the 0.463 acres of TMS 578-00-00-049 into 4 lots.

The properties are currently zoned RR-1 in Charleston County which would allow a density of 2.75 dwelling units per acre. Hamlin Place LLC propose to rezone the property to Planned Development District (PD) to allow for the development of a maximum of 55 single family detached residences. The proposed site plan has a density of 2.46 dwelling units per acre and will maintain 10.8 acres (48.3%) open space throughout the project.

The site will have public water and public sanitary sewer provided by Mount Pleasant Waterworks. Also, the site will be developed with storm drainage detention ponds to meet current water quality requirements for local and state review agencies.

All matters not addressed within this document shall comply with the Special Management 3 (S-3) Zoning District and the Mt. Pleasant Overlay Zoning District-Sweetgrass Basket Stand Special Consideration Area standards. A copy of the current Charleston County Zoning and

Land Development Regulations is included in the Exhibits section of this report.

2. **Land Use Classifications**

Each unit of land or improvements within the property shall be designated by one or more of the following land use classes to which the parcel is restricted. Once the initial land plan has been approved, it shall not be changed without approval as prescribed by the current edition of the Charleston County Zoning and Land Development Regulations. The following classifications of permitted land uses shall be used consistently throughout the entire development. The breakdown of areas and percentages for each classification is listed in Section 3.

A. Open Space/Common Area

1. Freshwater Wetlands
2. Lagoons / Ponds
3. Landscape Buffers and Common Areas

B. Single Family Household and Residential

1. Residential Dwelling Units

Used for single-family detached household residential purposes with a maximum of one dwelling unit located upon each dwelling lot. Only detached garages will be allowed as accessory structures on any lot. Home occupations will be allowed in accordance with current Charleston County Zoning and Land Development Regulations in effect. No apartments over garages shall be allowed.

3. **Planned Development Statistical Information**

<u>Use</u>	<u>Acreage</u>	<u>% of Area</u>	<u>Lots</u>
A. Open Space/Common Area	10.8 ac (Min)	48.3%	
Freshwater Wetlands	7.5 ac	33.5%	
Lagoons / Ponds (Min)	1.14 ac (Min)	5.1%	
Landscape Buffers & Common	2.16 ac (Min)	9.6%	
B. Residential Area (Net)(Max) (includes Public Street RW)	11.60 ac (Max)	51.7%	55 (Max)
Total Project Area	22.40 Acres	100 %	
Gross Density(Max)			2.46 Units/Acre

GENERAL GUIDELINES

General Guidelines applicable to all property owners and all lands and improvements within the property.

1. Siting

Siting to assure that the residences will be located so that reasonable view and privacy will be available to the largest practical number of residences within the property. The structures shall be located with regard to topography of each property taking into consideration the location of grand trees, or other aesthetic or environmental conditions and commonly shown on a survey plat. Exterior natural gas or propane tanks will be allowed within the subdivision.



Typical Building Style (Colleton Unit)



Typical Building Style (Ladson Unit)

2. Setback Requirements & Minimum Lot Sizes

A. Front, side and rear yard building setbacks will be enforced throughout the development. See “Detail A” for a graphical illustration of the setback and lot requirements outlined in table form below.

TABLE A – Minimum Building Setbacks and Lot Requirements

Use	Minimum Front Yard Setback (Street Side)	Minimum Side Yard Setback	Minimum Rear Yard Setback	Minimum Lot Width at RW	Minimum Lot Width at Front Setback	Minimum Highland Lot Size	Maximum Lot Width to Depth Ratio	Maximum Building Coverage	Max Build Height
Single Family Residential	10'	5'	20'	50'; 30' on Cul-de-Sac	50'	5,500 SF	1:5	40%	35' **
Detached Garage	20'	3'	3'	-	-	-	-	-	30' **

** Denotes Max. Building height shall be measured from the FEMA required finished floor elevation.

B. Detached garages for up to three (3) vehicles/boats shall be the only Accessory Structure allowed on a lot. No Accessory dwelling units are allowed. Detached garages may include finished rooms above garage with bathroom only. No kitchens to be allowed.

C. Side Setbacks for Primary Structures:

- Interior lots shall have a minimum 5' side yard setback on one side with a combined minimum total setback width of 15' for each lot.
- Corner lots shall have a minimum 10' setback on street side.

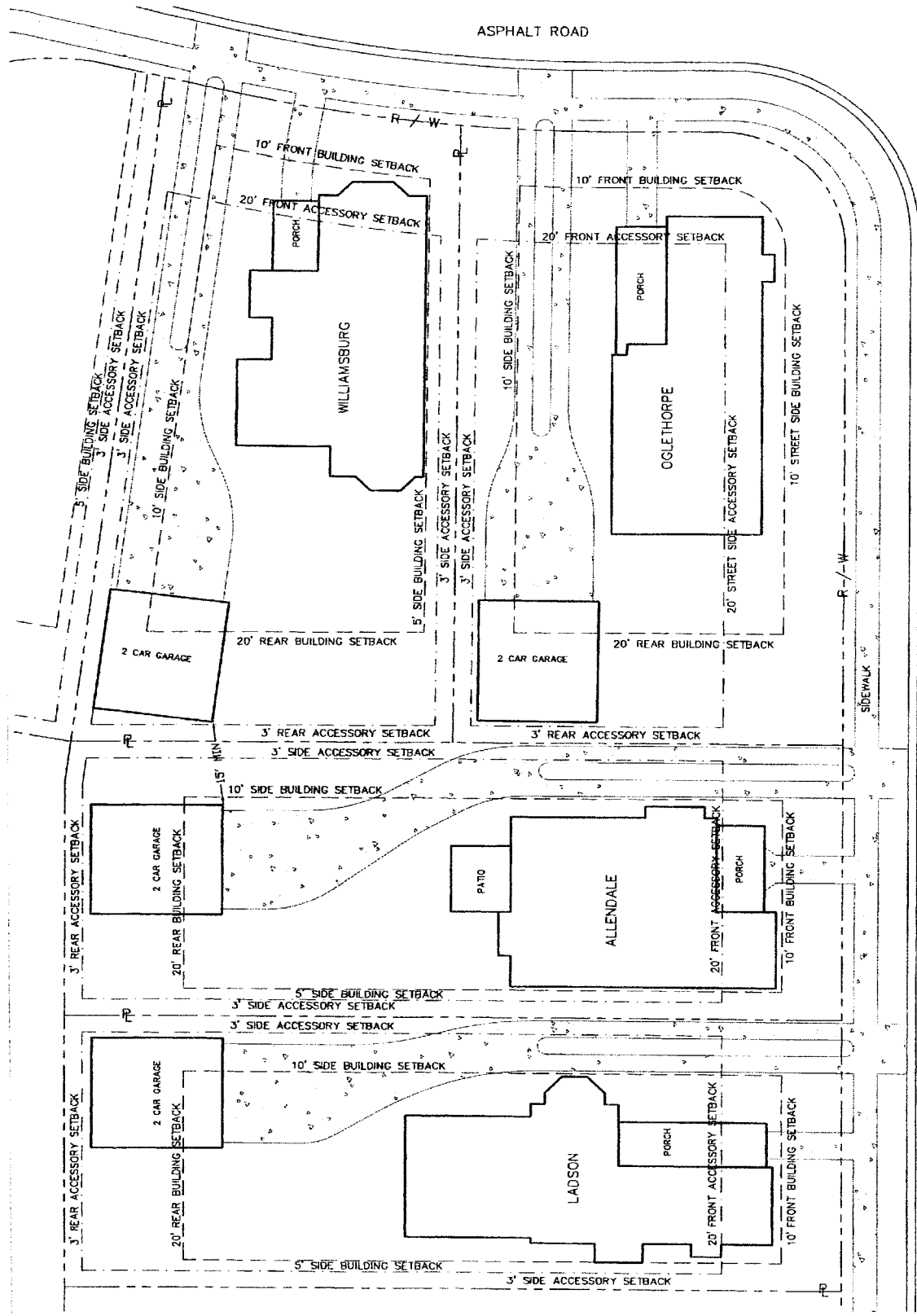
D. Accessory Structures shall have a minimum 3' side and rear yard setback; however a minimum of 15' shall be maintained between Accessory Structures on adjacent lots.

E. Primary structures shall have a minimum separation of 15' between residences on adjacent lots. Charleston County Building Permit Department will require that all plot plans submitted for permits show three lots, one on each side of the lot requesting the permit. The lot submitted for permit shall show the proposed house with one lot on each side clearly depicting the actual or proposed adjacent house to demonstrate compliance with this 15' minimum separation requirement.

F. The 40'x40' building envelope shall not apply to this project.

- G.** Driveway access to all corner lots shall be required to be from the Secondary Street.

- H.** Maximum fence height shall be ten (10) feet. Fences shall be installed subject to §3.8.2 (Zoning Permit Exemptions – Fences) of the Charleston County Zoning and Land Development Regulations Ordinance, and the Charleston County Building Code. Furthermore, this section will nullify the RR-1 fence height regulations found in this document.



DETAIL A – Building Setbacks and Siting Requirements

3. Buffers

Buffers shall exceed the current Charleston County Zoning and Land Use Development Regulations.

A 50' buffer is proposed along Hamlin Road and a 100' buffer is proposed along the southernmost property line adjacent to the existing property as shown on the concept plan.

The proposed development contains freshwater wetlands. No wetland impacts are proposed which would require U.S. Army Corps of Engineers wetlands buffers. Proposed Wetland buffers are shown on the site plan and shall be a minimum of 5' in width. Wetland buffers and wildlife areas shall remain in a natural undisturbed state.

Buffers shall in every case conform to the following guidelines:

- Select clearing shall be allowed in these buffers of trees measuring less than three inches DBH. Select clearing shall not include trimming limbs more than eight feet above ground level. All trees three inches DBH or greater shall be indicated on a tree survey;
- Any plantings allowed or required within this buffer shall be native species;
- No cross penetrations of utilities within the buffer will be allowed;
- The boundaries of the natural roadside buffer shall be clearly delineated and identified on all development plans and plats submitted for approval;
- Protected buffer areas shall be staked out in the field prior to construction activities;
- Buffers along waterfront, marsh, minor arterials or collector streets will be 50 feet in depth, and all requirements of Article 4.26, Waterfront Development Standards shall apply.

4. Dwelling Size

It is the intention of this guideline to assure that all dwellings shall be of quality workmanship, materials and size. Minimum heated floor space shall be 1200 SF.



Typical Building Style (Allendale Unit)



Typical Building Style (Oglethorpe Unit)

5. **Parking Requirements**

No residential dwelling shall be erected without adequate off street parking. Adequate area for ingress and egress shall also be included. Off street parking for residences will be included in garages and on driveways.

The off street parking requirements for all lots are as follows:

Residence: 2 spaces/dwelling

6. **Open Space Usage**

No boating or swimming will be allowed in any ponds. Access to open space areas shall be via 5' wide concrete sidewalks within road rights-of-way and 10' wide access easements between designated lots as shown on the Site Plan. All roads shall have 5' concrete sidewalks on both sides of the street within the development with the walks terminating at specific points to provide access to natural walking trails within the wetlands and around proposed ponds. These trails will occur naturally along higher elevation within the wetlands; however the entire wetlands are will be accessible for the trail system. The Site Plan identifies approximately a 0.52 mile trail system, but could be significantly larger as water levels within the wetlands area allow for expanded use of the wetlands. No specific trails will be constructed of fill material within the wetlands due to permitting restrictions on fill material in wetlands. However, wetland area trails will be hand cleared along the higher elevation to provide a delineated trail system. Other than hand clearing for trails as noted above the wetlands shall remain in a natural undisturbed state. Open space and walking trails/sidewalks/ bike pathways shall be linked to the community wide system and shall be open to the public.

7. **Utilities**

Public water and sanitary sewer service will be provided by Mount Pleasant Waterworks. Underground power, telephone, gas and Cable TV will be provided to each lot. All utilities shall be installed underground.

8. **Signs**

One exterior lighted, landscaped architectural entrance monument sign with associated brick columns and wrought iron fencing identifying the project will be located in one location at the entrance to the property off Hamlin Road. The maximum light intensity on the project sign shall not exceed 8 foot candles and a photometric plan shall be submitted along with the sign permit request. No internally lighted signs will be allowed. The sign will not be obstructive to

traffic traveling along Hamlin Road and will comply with the Development Standards for signs outlined in the current Charleston County Zoning and Land Development Regulations, current edition. The sign will be placed within the limits of the property. If the sign is located within proposed public right-of-way, the sign will need to be approved by Charleston County Public Works Department, and an encroachment permit will need to be obtained. Lighting on signage shall be no greater than eight (8) footcandles. The final subdivision name will be determined.

9. **Street Lighting**

Street Lighting will be provided. These lights will be low intensity (maximum 4 foot candles) with a maximum height of 15 feet. They shall meet the requirements of the current Charleston County Zoning and Land Development Regulations Site Plan Review. The developer, at his option, may utilize SCE&G to provide street lighting.

10. **Tree Requirements**

The developer will provide tree surveys for all trees in accordance with the current Charleston County Zoning and Land Development Regulations. A current tree survey is included in this document. The final site plan has been prepared to avoid most of the grand trees which were field surveyed. The development may require a minimum number of variance requests to remove grand trees located in proposed road rights of way. Any requests to remove healthy grand trees will follow the procedures of Article 9.4, Tree Protection and Preservation, and Article 3.10, Zoning Variances, or the current Charleston County Ordinances in effect at the time of the request. Tree protection and removal for all trees except healthy grand trees shall be:

- 1) Those trees (8-23" DBH) within the building footprint may be removed without the need for mitigation
- 2) Trees 8-23" DBH outside of the building areas that are removed shall be mitigated.
- 3) Mitigation replacement inches shall be 50% of the DBH inches removed (outside of building footprints)
- 4) Trees 8-23" DBH retained on site may be used to count against the required replacement inches.
- 5) Replacement trees that are planted may be placed on Homeowner's Association property but may in no case conflict with drainage features or utilities.
- 6) These guidelines do not apply to the rights of way nor are they applicable to trees 24" DBH and greater.

11. Traffic Study

A Traffic Impact and Access Study was completed in July of 2006 for the project by SRS Engineering. The study recommendations for the Hamlin road connect will be followed in the final design of the site. A copy of the study is included in this PD document.

12. Cultural Resources Assessment

A Cultural Resources Assessment was completed in July of 2006 for the project by Brockington and Associates, Inc. Based on this assessment no known historic properties are on the tract, although there are several within one mile of the tract. As a result, a full survey is likely to be required prior to OCRM final permitting. A copy of the assessment is included in this PD document. If a full cultural resources assessment is required during the permitting process by OCRM, it will be provided. Any sites with historic, archaeological and/or cultural value which are identified will not be a part of any lot and design will include provisions for buffering or passive park design.

13. Public Roads and Drainage Easements

Encroachment permits will be required for all work within existing publicly dedicated drainage easements and rights-of-way as required by the governing review agency. All internal roads shall be dedicated to the public and shall be built to Primary County Road Standards as prescribed by the current Charleston County Zoning and Land Development Regulations, Appendix A, Road Construction Standards. Construction access for all construction phases shall be via existing public roads for the initial phase and via the internal public roads for subsequent construction phases based on approval by Charleston County Public Works Director. There will be an ingress-egress easement recorded with the final subdivision plat to provide access to the adjacent property to the west, currently identified as TMS 578-00-00-053. Scenic views as seen from thoroughfares shall remain unblocked. The proposed site plan provides for scenic views across stormwater management ponds with a backdrop of undisturbed wetlands. Ends of cul-de-sacs allow for easy accessibility to natural trail systems which can occur within the wetlands. Wooded buffers along Hamlin Road will reduce noise within the subdivision and restrict direct views of traffic along Hamlin Road and direct views into the subdivision from adjacent roads or properties. Roadway design and stormwater standards shall include environmentally and aesthetically sensitive best management practices and development standards.

14. Drainage

A drainage plan will be prepared during the design phase of the roads and utilities for the project.

A stormwater management plan shall be required and shall address the following stormwater drainage issues, including, but not limited to:

- A shared system;
- The recommendations from the Isaac German Watershed Study;
- Piped systems, and
- Incorporation of access along stormwater drainage areas for maintenance and pedestrian access.

The design will be prepared to meet current local, state and federal requirements. The project drainage system will be constructed in one phase. The drainage ponds within the project shall be deeded to and permanently maintained by the HOA.

15. Sidewalks

A sidewalk system shall be installed within the project. The sidewalks shall be located within the public rights-of-way a minimum of 5' from the back of curb.

The installation of required sidewalks within proposed publicly dedicated rights-of-way can be postponed until after the Final Plat has been recorded, provided the following criteria have been met:

- The other required road and drainage system improvements have been completed and accepted;
- All final plat conditions and stipulations have been finalized;
- An approved Financial Guarantee is posted of an amount sufficient to guarantee completion of the required sidewalk improvements (150 percent (150%) of the actual cost, verified by the Directors of the Public Works and Planning Departments and certified by the subdivision project engineer, a minimum of \$10,000) within a time period not to exceed two (2) years; and
- The subdivision Developer must be issued an encroachment permit for construction of the entire subdivision sidewalk system within the proposed right-of-way.

The subdivision's required two (2) year maintenance guarantee period will start once the entire sidewalk system has been completed and approved. The construction of the sidewalk on each individual lot must be completed prior to issuing the Certificates of Occupancy.

16. **Area Road Improvements**

No improvements to Hamlin Road are anticipated at this time. During the plan review phase, if SCDOT requires turn lanes at the intersection with Hamlin Road, the developer will install the required improvements at their sole expense. The site plan allows for one primary entrance into the project from Hamlin Road. The entrance from Hamlin Road is proposed as one lane in and one lane out. A stop sign at the exit onto Hamlin Road will control access at that point. All roads within the proposed development will be public roads and shall be constructed to Charleston County Standards.

17. **Easements**

Easements for installation and maintenance of utilities and for drainage easements are reserved and shall be shown on all recorded plats. No dwelling house, garage, out building, fence or other structure of any kind shall be built, erected or maintained upon any such easements. Said easements shall at all times be open and accessible to public and quasi public utility corporations, and other persons erecting, constructing or servicing such utilities, and to the developer, its successors and assigns, all of whom shall have the rights of ingress and egress, and the right and privilege of doing whatever may be necessary in, under and upon said locations for the carrying out of any of the purposes for which said easements, reservations and rights-of-ways are reserved, or may hereafter be reserved. Drainage flow shall not be constricted or diverted from drainage or utility easements as shown on the recorded subdivision plat. Any water, sewer, electric, telephone or other utility easements will be dedicated to the respective companies. All utilities within the project shall be installed underground. No easements shall be located within the publicly dedicated rights-of-way without a county encroachment permit being issued.

18. **Final Site Plan**

Final Site Plan is defined as the Preliminary Plat which incorporates all zoning and engineering design requirements.

Hamlin Place, LLC reserves the right to make minor adjustments in the Final Site Plan as a result of engineering design requirements or as a result of State and Federal permitting requirements. Modifications resulting from engineering design requirements may include minor road realignment due to avoiding trees, presence of unsuitable material for construction of roads and houses, storm drainage detention ponds additions to meet requirements, etc. All modifications will be subject to final approval by the Charleston County Planning Director, and may require a Planned Development Amendment. No variances requests other than for trees will be allowed.

Hamlin Place, LLC reserves the right to increase the size of lots in specific areas of the Site Plan and to reduce the number of residential lots in the overall tract which will result in lowering the overall density of the development.

Site Plan modifications may not include changes which would bypass the normal approval process of Charleston County, increase overall lot density, etc. or other guidelines established elsewhere in this document. Modifications to engineering design requirements must be approved by Charleston County Public Works Department.

The development will be constructed in one phase over a fifteen year period.

Lots bordering two streets at intersection (corner lot) will have setbacks as proposed in "Table A-Minimum Building Setbacks and Lot Requirements" in this document. Depending upon orientation, the front of the house could be on either the primary street or secondary street frontage. Driveway access to attached garages or detached garages for "corner lots" may be from secondary street only.

III. COORDINATION LETTERS

Elected
William L. Golightly, Jr., Ph.D., Chairman
Rick M. Crosby, Vice Chairman
Susan I. Mellichamp, Secretary-Treasurer
Diane D. Lauritsen, Ph.D.
H Mac Jenkinson



Ex-Officio
Billy Swails, Mayor
John Burn, Chairman
Water Supply Committee, Town Council

Clay Duffie, **General Manager**

February 25, 2011

Mr. Jason Milner, P.E.
Project Engineer
CSE
668 Marina Drive, Suite B-1
Charleston, SC 29492

RE: Project Name: Linnen Place – Additional 0.46 Acre Parcel (4 Additional Lots)
Project No.: RSA0107

Dear Mr. Milner:

Mount Pleasant Waterworks (MPW) acknowledges receipt of your “Letter of Intent” for the above referenced project. This letter serves as MPW’s “Proof of Coordination” to provide water and wastewater services to the above referenced site in Mount Pleasant, South Carolina. MPW certifies the availability of service only insofar as its rights allow, and based on the information provided in your Letter of Intent. This does not constitute a reservation of capacity in MPW’s system.

It will be the developer’s responsibility to extend the water and wastewater infrastructure as necessary. Capacity in MPW’s system is not considered reserved until impact fees have been paid in full.

Project submittals shall be in accordance with MPW’s Guidelines for Development. Should you have any additional questions, please contact me at (843) 971-7505 or by email at peterfennell@mpwonline.com.

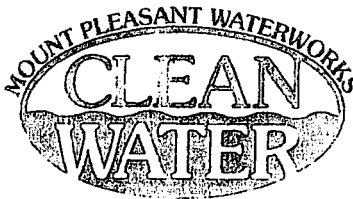
Sincerely,

MOUNT PLEASANT WATERWORKS

Peter Fennell
Engineer

rlb

Elected
William L. Golightly, Jr., Ph.D., Chairman
Rick M. Crosby, Vice Chairman
H. Chapman McKay, Secretary-Treasurer
Diane D. Lauritsen, Ph.D.
Susan I. Mellichamp



Ex-Offi
Harry M. Hallman, Jr., Ma
Joseph M. Bustos, Jr., Chairn
Water Supply Committee, Town Cou

Clay Duffie, General Mana

March 2, 2006

Mr. John W. Fleming, P.E.
Hussey, Gay Bell & DeYoung< inc.
474 Wando Park Blvd., Suite 201
Mount Pleasant, SC 29465

RE: Project Name: Hamlin Place
Project No.: RD872

Dear Mr. Fleming:

Mount Pleasant Waterworks (MPW) has been advised by the Town that the above referenced project complies with the Town of Mount Pleasant Comprehensive Plan. Therefore, please allow this letter is to certify our willingness to provide water and wastewater services to the above referenced site in Mount Pleasant, South Carolina. MPW certifies the availability of service only insofar as its rights allow, and based on the information provided in you Letter of Intent. This does not constitute a reservation of capacity in MPW's system.

It will be the developer's responsibility to extend the water and wastewater infrastructure as necessary. Capacity in MPW's system is not considered reserved until the treatment component of the wastewater impact fee and the capacity component of the water impact fee have been paid.

Project submittals shall be in accordance with MPW's Guidelines for Development. Should you have any questions, please do not hesitate to contact me at (843) 971-7503 or by email at rb@mpwonline.com.

Sincerely,


MOUNT PLEASANT WATERWORKS

Robin L. Burner
Engineering Support Administrator

rlb



BERKELEY ELECTRIC COOPERATIVE, INC.

Your Touchstone Energy® Partner 

February 15, 2011

CSE
C/o: Jason, Milner, P.E.
668 Marina Drive
Suite B-1
Charleston, SC 29492

**RE: Power Availability – Linnen Place Subdivision
TMS # 578-00-00-049 (0.46 ac)**

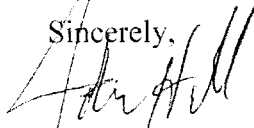
Dear Mr. Milner:

Berkeley Electric Cooperative is willing and able to supply the electrical energy requirements for the above referenced location.

Once you have plans available, I will need you to provide me with a hard set of prints and an AutoCAD disc, so we can design our distribution facilities to this development. All services that are rendered will be under our Service Rules and Regulations at the time of service.

If you have any questions, please don't hesitate to give me a call.

Sincerely,



John Hall
Superintendent of Field Engineering

JH/lc

c: Tim Mobley

Post Office Box 1234
Moncks Corner, SC 29461
(843) 761-8200
(843) 825-3383
Fax (843) 572-1280

Post Office Box 128
Johns Island, SC 29457
(843) 559-2458
Fax (843) 559-3876

Post Office Box 1549
Goose Creek, SC 29445
(843) 553-5020
Fax (843) 553-6761

3745 N. Highway 17
Awendaw, SC 29429
(843) 884-7525
Fax (843) 884-3044



March 1, 2011

Mr. Jason Milner
Civil Site Environmental
668 Marina Dr #B1
Charleston, SC 29492

RE: Comcast Cable TV, High Speed Internet Service and Telephone Service for the
Linen Park Subdivision expansion TMS 578-00-00-049

Dear Mr. Milner:

Please be advised that Comcast provides telephone, high speed internet and digital cable services to the Mount Pleasant area and these services will be available for the Linen Place Subdivision expansion as described above.

Sincerely,

A handwritten signature in black ink that reads "Charles Yonkman". The signature is written in a cursive style with a large, sweeping "C" at the beginning.

Charles Yonkman
Bulk/MDU Coordinator
Comcast of Carolina, Inc.
4400 Belle Oaks Drive
North Charleston, SC 29405

(843) 266-3094
Charles_yonkman@cable.comcast.com



4400 Belle Oaks Dr.
Charleston, SC 29405
(843) 554-4100 Phone
(843) 266-3272 Fax

RECEIVED
AUG 18 2005

BY:

August 16, 2005
Mr Clinton Howard
Hussey, Gay, Bell & Deyoung, Inc
474 Wando Park Blvd
Mount Pleasant, S.C. 29465 P.O. Box 177
RE: Proof of Coordination

Proposed development

Hamlin Road Tract TMS # 578-00-00-050, 578-00-00-053, and 578-00-00-054

Dear Mr. Howard Thank You for allowing us the opportunity to view the map/site plan for your proposed development In Mount Pleasant.

Our cable facilities are in this area, so please consider this letter as documentation that Comcast Cablevision can provide service to this development. **Please consider placing conduit for cable access.**

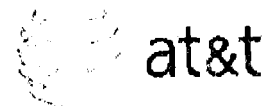
If there are any questions or concerns, please do not hesitate to call me at (843) 266-3152. Thank you for considering Comcast Cablevision as your cable provider.

Sincerely,

Mike Clark
Construction Coordinator
Comcast Cable of Carolina, Inc.

MC/mie

cc: file



AT&T
Southeast

Andrew Jur
2600 Meeting St
N Charleston, SC 29405
843 722 5182
Andrew.jur@att.com
843 745-0856

February 24, 2011

Jason Milner, P.E.
Civil Site Environmental (CSE)
668 Marina Drive, Suite B-1
Charleston, SC 29492

RE: TMS No. 578-00-00-049, 578-00-00-050, 578-00-00-052, 578-00-00-053 & 578-00-00-054.

Dear Jason Milner:

This is in response to your request for confirmation of service availability by AT&T. The above referenced project/development is located in an area served by AT&T.

Prior to confirming service availability to this project, AT&T requires information such as proposed land use, density, site plans, and agreements with respect to service arrangements for the project. Please contact me at the telephone number or email address shown above to arrange for providing any information that you may not have included in this request for service availability. No preparatory work towards providing service will begin at this time.

General information regarding AT&T's service to commercial buildings can be obtained from AT&T's Building Industry Consulting Service (BICS) and at hs7769@att.com.

Thank you for contacting AT&T.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrew Jur".

Andrew Jur
AT&T



BellSouth Telecommunications, Inc.
2600 Meeting Street Road
Charleston, SC 29405-8307

August 16, 2005

Clinton Howard
Hussey, Gay, Bell, Deyoung, Inc.
474 Wando Park Blvd.
Mt. Pleasant, SC 29465

Dear Clinton Howard:

This is to confirm that BellSouth intends to provide telephone service to the 96 single family dwellings on Hamlin Rd., in the Mt. Pleasant area of Charleston, SC. TMS# 578-00-00-050, 578-00-00-052, 578-00-00-053, & 578-00-00-054. The provisioning of this service is contingent upon our receiving detailed plans of the development with utility easements granted and proper lead-time to install these services. Please submit a finalized site plan of this development as soon as possible, including all street addresses so that all engineering requirements can be met. All AutoCAD plans should be submitted to Andrew.Jur@bellsouth.com

In addition you should contact Mr. Wes McIver, BellSouth Building Industry Consultant (BIC), pertaining to inside telephone facilities. He can be reached at (803)733-6332.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Jur', written over a horizontal line.

Andrew Jur
Designer-BellSouth



Suburban

Suburban Disposal Service, Inc.

150 Suburban Lane • P.O. Box 2748 • Summerville, SC 29484 • Telephone: (843) 873-4810 • Fax: (843) 873-2173

February 21, 2011

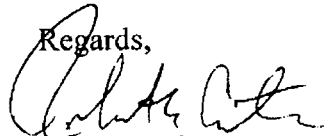
Mr. Jason Milner
Civil Site Environmental
Via Email (jmilner@civilsiteenv.com)

Re: Linen Place

Dear Mr. Milner;

We would be able to provide waste services at the 4 additional lots in Linnen Place off of Hamlin Road. We would provide once weekly curbside household trash service as well as once weekly yard debris service. Please let me know if you need anything further.

Regards,



Robert E. Carter
Operations Manager



Suburban Disposal Service, Inc.

150 Suburban Lane • P.O. Box 2748 • Summerville, SC 29484 • Telephone: (843) 873-4810 • Fax: (843) 873-2173

To Whom It May Concern:

We would be able to provide disposal service at the proposed site off of Hamlin Rd. We would provide the customers with 1 time a week Household Trash and 1 time Week Yard Debris. If you have any questions or concerns, please contact our office at 843-873-4810.

Sincerely,

Laura Joyner
Suburban Disposal Service



South Carolina
Department of Transportation

File
Meridian
Hamlin Rd. Tract
(Studies)

Beaufort County
Berkeley County
Charleston County
Colleton County
Dorchester County
Jasper County

May 9, 2007

Mr. Brian J. Foster
Acquisition and Development Manager
Meridian Builders, Inc.
887 Johnnie Dodds Boulevard
Suite 200
Mount Pleasant, South Carolina 29464

Re: S-10-504 – Hamlin Road – Hamlin Place Residential Development traffic
impact study – Preliminary Review

Dear Mr. Foster:

I have reviewed the traffic impact study that was prepared for Hamlin Place and dated July 20, 2006. The study described the proposed development and its impact on surrounding intersections.

I concur with the findings of this study and agree that no mitigation efforts will be necessary. At this time, construction plans as well as an encroachment permit application should be sent to our Charleston Maintenance Office for review.

If you have any questions, please contact Mr. Nick Rebovich at 740-1667 ext 148.

Sincerely,

D. Mark Nesbit

D. Mark Nesbit, P.E.
District Traffic Engineer

cc: Chris Gossett P.E., Resident Maintenance Engineer
Matt Short, SRS Engineering
Richard Bailey, Hussey, Gay, Bell & Deyoung, Inc

File: D6/Charleston /DMN

District Six Engineering
6355 Fain Boulevard
North Charleston, SC 29406-4989



Phone: (843) 740-1665
Fax: (843) 740-1663

AN EQUAL OPPORTUNITY/
AFFIRMATIVE ACTION EMPLOYER

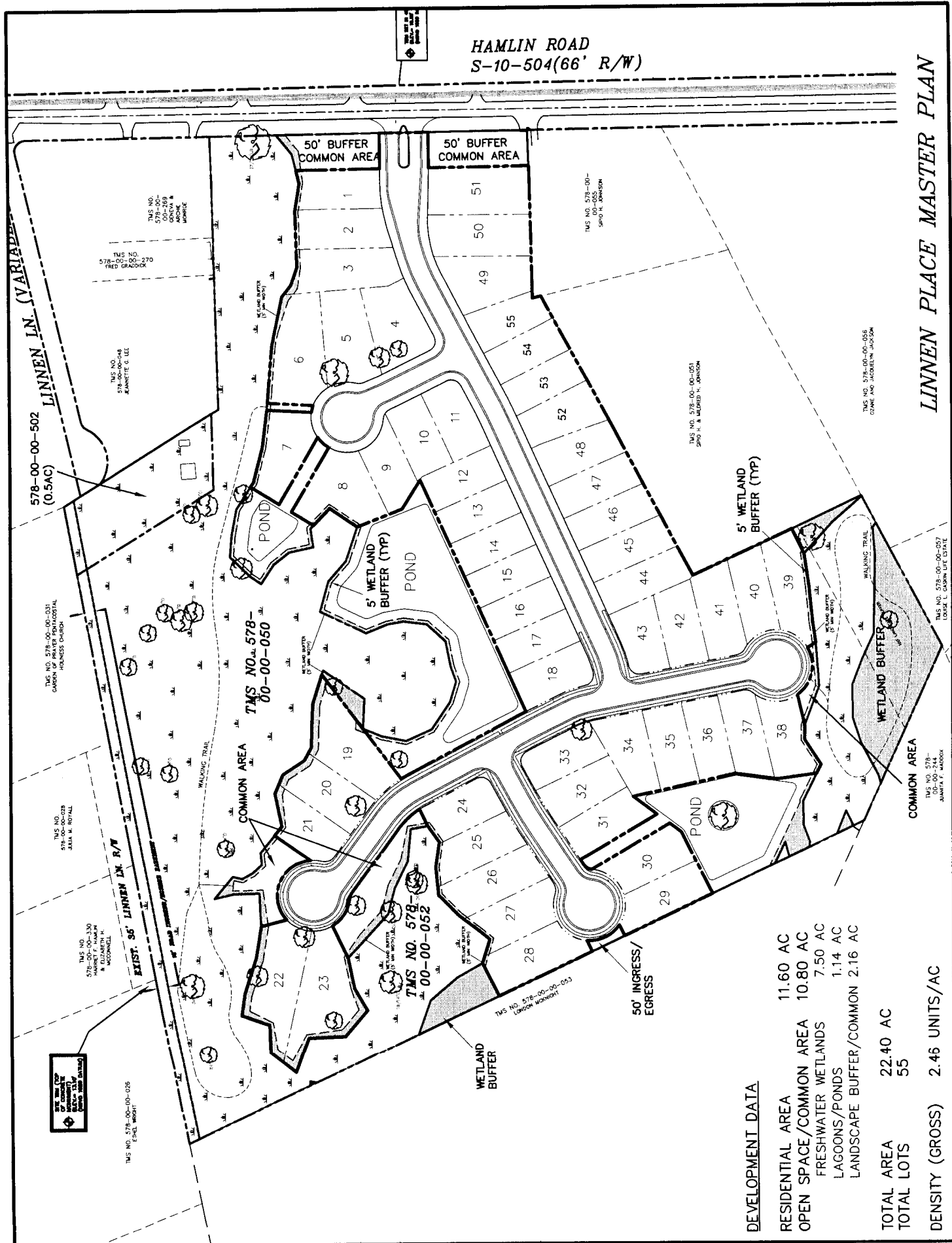
IV. EXHIBITS

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

Master Plan



HAMLIN ROAD
S-10-504(66' R/W)

LINNEN PLACE MASTER PLAN

DEVELOPMENT DATA

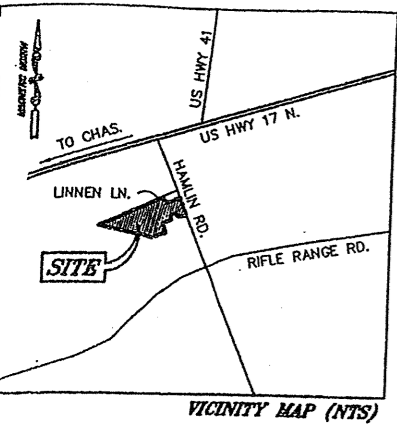
RESIDENTIAL AREA	11.60 AC
OPEN SPACE/COMMON AREA	10.80 AC
FRESHWATER WETLANDS	7.50 AC
LAGOONS/PONDS	1.14 AC
LANDSCAPE BUFFER/COMMON	2.16 AC
TOTAL AREA	22.40 AC
TOTAL LOTS	55
DENSITY (GROSS)	2.46 UNITS/AC

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

**Topographic & Tree
Survey**



REFERENCES:

1. A PLAT BY W.S. GALLIARD, DATED OCTOBER 1, 1889 IN PLAT BOOK 2, PAGE 18. RECORDED IN CHARLESTON COUNTY R.M.C.
2. A PLAT BY ALPHA SURVEYING INC., DATED NOVEMBER 6, 1985 IN PLAT BOOK 60, PAGE 04. RECORDED IN CHARLESTON COUNTY R.M.C.
3. A PLAT BY FORREST G. CALVERT, DATED JANUARY 29, 1986 IN PLAT BOOK 60, PAGE 18A. RECORDED IN CHARLESTON COUNTY R.M.C.
4. A PLAT BY CHARLES F. DAWLEY JR., DATED NOVEMBER 1, 1990 IN PLAT BOOK 60, PAGE 413. RECORDED IN CHARLESTON COUNTY R.M.C.
5. A PLAT BY ROBERT L. FRANK, DATED NOVEMBER 3, 1992 IN PLAT BOOK 60, PAGE 42. RECORDED IN CHARLESTON COUNTY R.M.C.
6. A PLAT BY W.S. GALLIARD, DATED APRIL 17, 1874 IN PLAT BOOK AD PAGE 12. RECORDED IN CHARLESTON COUNTY R.M.C.
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13. A PLAT BY GEORGE A.Z. JOHNSON JR. INC., DATED APRIL 2, 1978 IN PLAT BOOK A.Z. PAGE 21. RECORDED IN CHARLESTON COUNTY R.M.C.
14. A PLAT BY HERBERT A. NEMYER, JR., DATED NOVEMBER 3, 1987 IN PLAT BOOK 60, PAGE 72. RECORDED IN CHARLESTON COUNTY R.M.C.

FLOOD NOTE:

PROPERTY IS LOCATED IN FLOOD ZONE X (UNSHADED), ZONE X (SHADED) AND ZONE AE (ELEV. 12) PER COMMUNITY PANEL NO. 45018C0335J, REVISED DATE NOVEMBER 17, 2004.

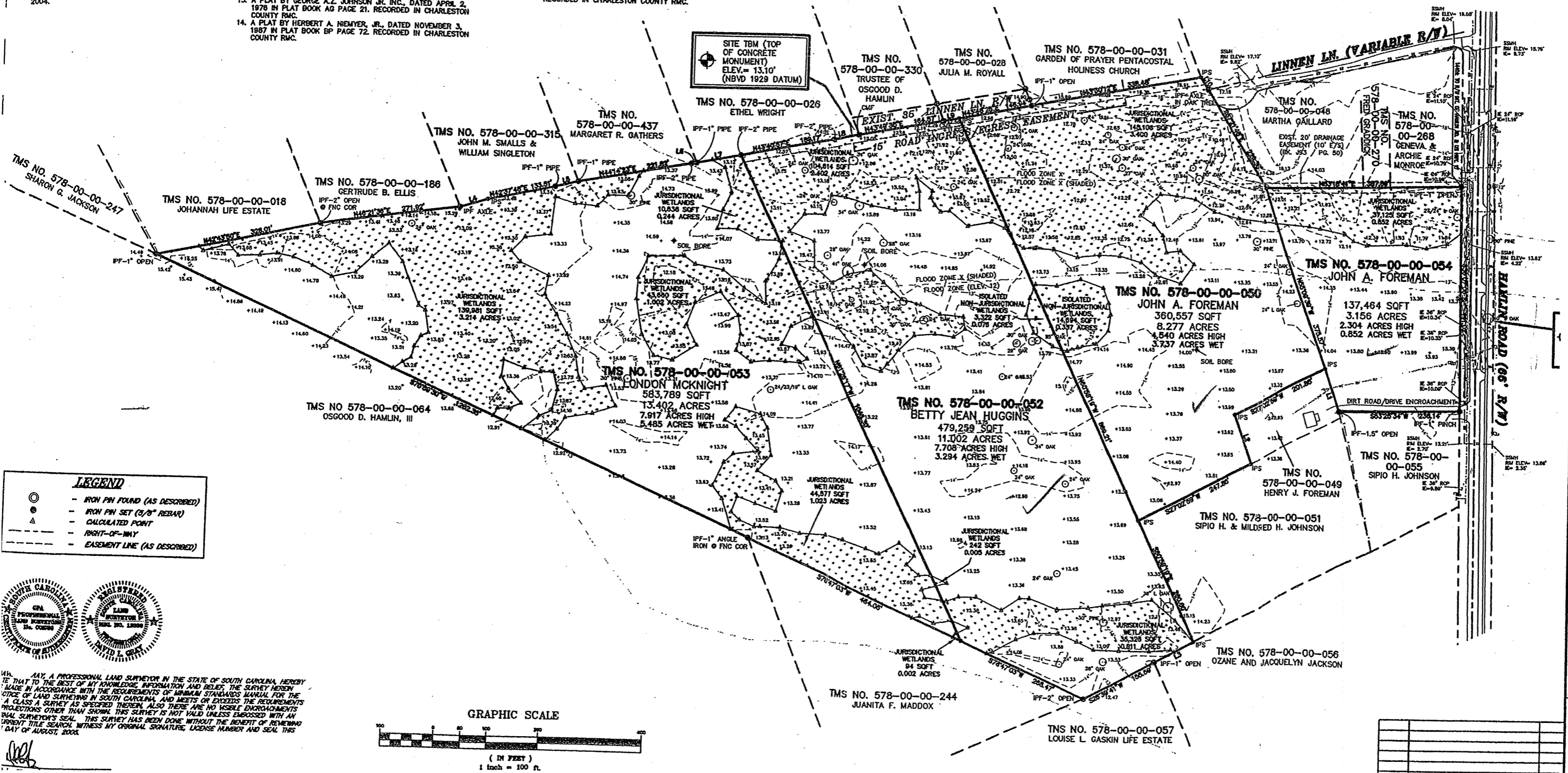
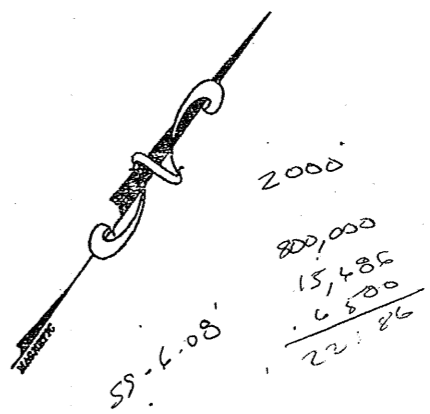
REFERENCES:

15. A PLAT BY GEORGE D. SAMPLE, DATED NOVEMBER 15, 1975 IN PLAT BOOK T PAGE 67. RECORDED IN CHARLESTON COUNTY R.M.C.
16. A PLAT BY W.L. GALLIARD, DATED MAY 6, 1978 IN PLAT BOOK W PAGE 63. RECORDED IN CHARLESTON COUNTY R.M.C.
17. A PLAT BY J.P. GALLIARD, DATED AUGUST 1941 IN PLAT BOOK F PAGE 90. RECORDED IN CHARLESTON COUNTY R.M.C.
18. A PLAT BY W. LUCAS GALLIARD, DATED NOVEMBER 19, 1981 IN PLAT BOOK P PAGE 130. RECORDED IN CHARLESTON COUNTY R.M.C.
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20. A PLAT BY RANDE C. OLSON, DATED MARCH 9, 1978 IN PLAT BOOK X PAGE 139. RECORDED IN CHARLESTON COUNTY R.M.C.
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25. A PLAT BY ALPHA SURVEYING INC., DATED JULY 23, 1988 IN PLAT BOOK DJ PAGE 127. RECORDED IN CHARLESTON COUNTY R.M.C.
26. A PLAT, DATED JANUARY 1873 IN PLAT BOOK B PAGE 48. RECORDED IN CHARLESTON COUNTY R.M.C.

NOTES:

- 1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
- 2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.
- 3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- 4) DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
- 5) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
- 6) WETLANDS SHOWN ON THIS PLAT WERE SURVEYED BY GPA PROFESSIONAL LAND SURVEYORS AS DELINEATED BY OTHERS.
- 7) TAX MAP NUMBERS: 578-00-00-050, 052, 053 & 054.
- 8) ELEVATIONS ARE BASED ON NVD 1929 DATUM.

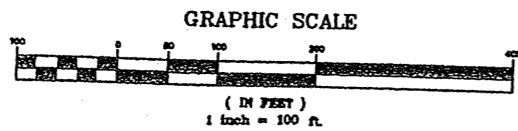
LINE	LENGTH	BEARING
L1	88.89	N55°09'39"W
L2	100.93	N55°09'39"W
L3	85.01	N26°39'41"E
L4	54.78	S37°12'06"W
L5	46.58	S41°05'04"W
L6	9.81	N43°35'35"E
L7	87.80	N43°35'17"E
L8	52.05	N43°35'17"E
L9	30.09	S43°48'25"W
L10	27.89	N67°21'48"W



SITE TBM (TOP OF CONCRETE MONUMENT)
ELEV. = 13.10'
(NVD 1929 DATUM)

LEGEND

- IRON PIN FOUND (AS DESCRIBED)
- IRON PIN SET (1/8" REBAR)
- △ CALCULATED POINT
- - - RIGHT-OF-WAY
- - - EASEMENT LINE (AS DESCRIBED)



GPA
PROFESSIONAL
LAND SURVEYORS
www.gpaland.com

CHARLOTTE BRANCH
P.O. BOX 304
CHARLOTTE, NC 28202-0304
OFFICE (704) 335-8800
FAX (704) 335-8808

WILSON HEAD BRANCH
ONE GARDEN PLACE SUITE
BLITTON, SC 29527
OFFICE (843) 615-3333
FAX (843) 615-3336

EXCELLENCE AS A HABIT

SCALE
1"=100'

R.D. NO. PG.

JOB NO.
055045

DATE
4/18/04

DRAWN BY
JFB

CHECKED BY
DLG

SHOWING SHOWING TMS NO. 578-00-00-064 - OWNED BY JOHN A. FOREMAN,
TMS NO. 578-00-00-050 - OWNED BY JOHN A. FOREMAN,
TMS NO. 578-00-00-052 - OWNED BY BETTY JEAN HUGGINS,
AND TMS NO. 578-00-00-063 - OWNED BY LONDON MCKNIGHT

CHARLESTON COUNTY
MERIDIAN COMPANIES
SOUTH CAROLINA

TOPOGRAPHIC SURVEY

WE, JAY A. PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH CAROLINA, HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF MINIMUM STANDARDS MANUAL FOR THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS OF A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO USABLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVEREND DEED TITLE SEARCH WITH MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS DAY OF AUGUST, 2004.

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

Wetlands Survey



DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
CHARLESTON, SOUTH CAROLINA 29403-5107

REPLY TO
ATTENTION OF

February 21, 2006

Regulatory Division

Mr. Ryan Clarey
Newkirk Environmental, Inc.
Post Office Box 746
Mount Pleasant, South Carolina 29465-0746

Re: SAC 81-2005-2563-2
Charleston County

Dear Mr. Clarey:

This is in response to your letter of November 29, 2005, requesting a wetland determination, on behalf of Richard Bailey, for a 22.44 acre tract located adjacent to Hamlin Road, Charleston County, South Carolina. The project area is depicted on the survey plat you submitted which was prepared by GPA Professional Land Surveyors, dated November 28, 2005, revised January 16, 2006, and entitled "SHOWING SHOWING TMS NO. 578-00-00-054 - OWNED BY JOHN A. FOREMAN, TMS NO. 578-00-00-050 - OWNED BY JOHN A. FOREMAN, AND TMS NO. 578-00-00-052 - OWNED BY BETTY JEAN HUGGINS, PREPARED FOR MERIDIAN COMPANIES LOCATED IN CHARLESTON COUNTY SOUTH CAROLINA".

This plat depicts surveyed boundaries of wetlands or other waters of the United States as established by your office. You have requested that this office verify the accuracy of this mapping as a true representation of wetlands or other waters of the United States within the regulatory authority of this office. The property in question contains 7.991 acres of federally defined jurisdictional freshwater wetlands or other waters of the United States subject to the jurisdiction of this office. The location and configuration of these areas are reflected on the plat referenced above.

Based on an on-site inspection and a review of aerial photography and soil survey information, it has been determined that the surveyed jurisdictional boundaries shown on the referenced plat are an accurate representation of jurisdictional areas within our regulatory authority. This office should be contacted prior to performing any work in these areas. Enclosed is a form describing the basis of jurisdiction for the areas in question. You should also be aware that these areas may be subject to restrictions or requirements of other state or local governmental entities.

If a permit application is forthcoming as a result of this delineation, a copy of this letter, as well as the verified survey plat, should be submitted as part of the application. Otherwise, a delay could occur in confirming that a delineation was performed for the permit project area.

Please be advised that this determination is valid for five (5) years from the date of this letter unless new information warrants revision of the delineation before the expiration date. All actions concerning this determination must be complete within this time frame, or an additional delineation must be conducted. This **approved** jurisdictional determination is an appealable action under the Corps of Engineers administrative appeal procedures defined at 33 CFR 331. The

administrative appeal options, process and appeals request form is attached for your convenience and use.

In future correspondence concerning this matter, please refer to SAC 81-2005-2563-2. You may still need state or local assent. Prior to performing any work, you should contact the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management. A copy of this letter is being forwarded to them for their information.

If you have any questions concerning this matter, please contact me at 843-329-8044 or toll free (outside of the Charleston area) at 1-866-329-8187.

Respectfully,

A handwritten signature in black ink, appearing to read "Elizabeth Jackson", with a long horizontal flourish extending to the right.

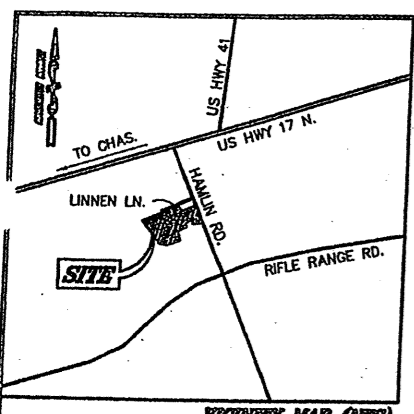
Elizabeth Jackson
Biologist

Enclosures:

Basis for Jurisdiction
Notification of Appeal Options
Customer Service Survey

Copy Furnished:

S.C. Department of Health
and Environmental Control
Office of Ocean and Coastal
Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405



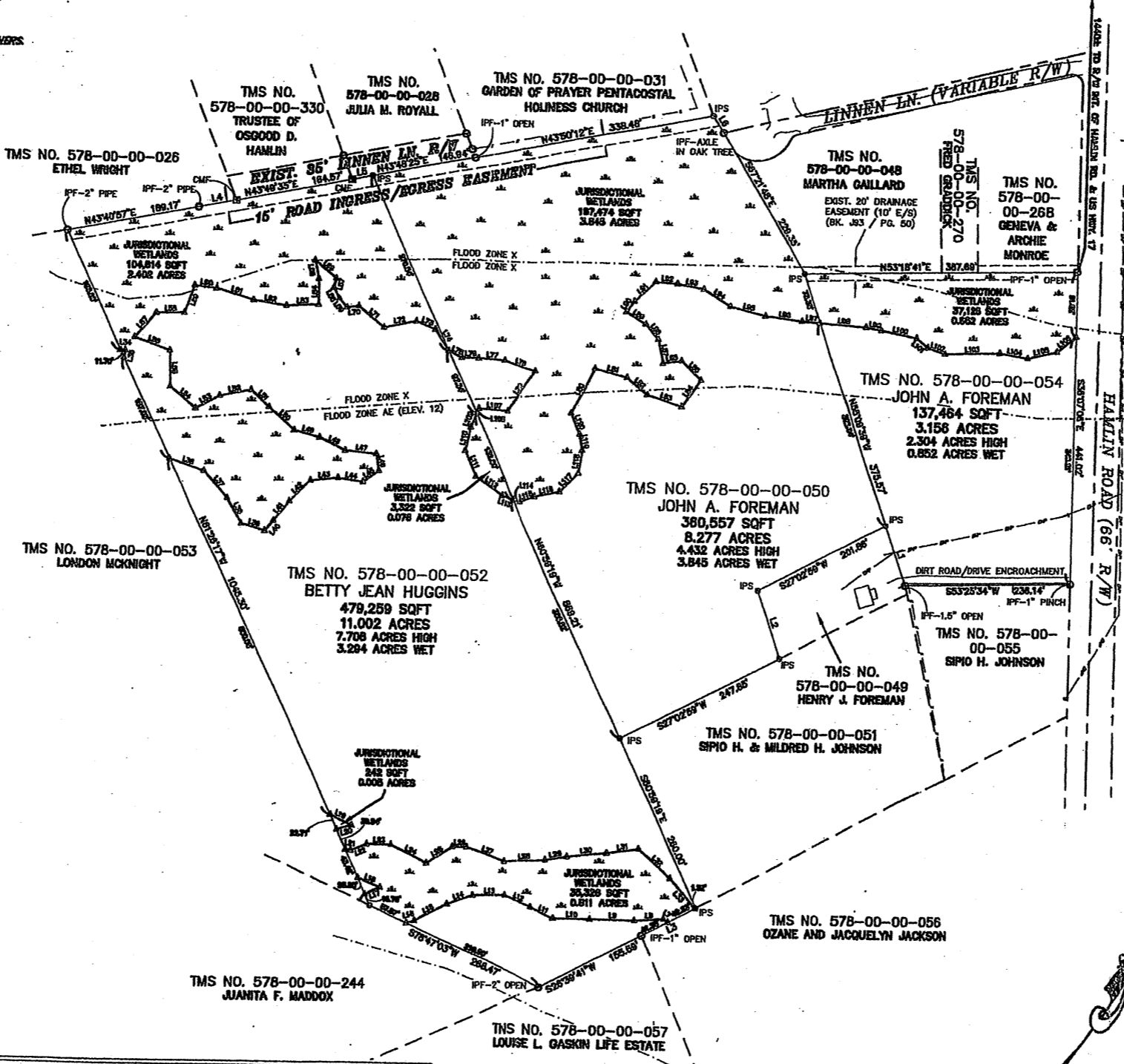
- NOTES:**
- 1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
 - 2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.
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 - 6) WETLANDS SHOWN ON THIS PLAN WERE SURVEYED BY GFA PROFESSIONAL LAND SURVEYORS AS DELINEATED BY OTHERS.
 - 7) TAX MAP NUMBERS: 578-00-00-026, 032, & 034.
 - 8) ELEVATIONS ARE BASED ON NAD 1983 DATUM.

FLOOD NOTE:
 PROPERTY IS LOCATED IN FLOOD ZONE X AND ZONE AE (ELEV. 12) PER COMMUNITY PANEL NO. 4501(00)305, REVISED DATE NOVEMBER 17, 2004.

LEGEND

- - IRON PIN FOUND (AS DESCRIBED)
- - IRON PIN SET (3/8" REBAR)
- △ - CALCULATED POINT
- - - - - RIGHT-OF-WAY
- - - - - EASEMENT LINE (AS DESCRIBED)

- REFERENCES:**
1. A PLAT BY W.L. GALLIARD, DATED OCTOBER 1, 1886 IN PLAT BOOK 2, PAGE 19. RECORDED IN CHARLESTON COUNTY RMC.
 2. A PLAT BY ALPHA SURVEYING INC., DATED NOVEMBER 8, 1985 IN PLAT BOOK BA, PAGE 04. RECORDED IN CHARLESTON COUNTY RMC.
 3. A PLAT BY FORREST G. CALVERT, DATED JANUARY 29, 1898 IN PLAT BOOK BO PAGE 168. RECORDED IN CHARLESTON COUNTY RMC.
 4. A PLAT BY CHARLES F. DANLEY JR., DATED NOVEMBER 1, 1888 IN PLAT BOOK EB PAGE 413. RECORDED IN CHARLESTON COUNTY RMC.
 5. A PLAT BY ROBERT L. FRANK, DATED NOVEMBER 3, 1902 IN PLAT BOOK CH PAGE 42. RECORDED IN CHARLESTON COUNTY RMC.
 6. A PLAT BY W.L. GALLIARD, DATED APRIL 17, 1874 IN PLAT BOOK AD PAGE 12. RECORDED IN CHARLESTON COUNTY RMC.
 7. A PLAT BY ARD SURVEYING COMPANY, INC., DATED APRIL 19, 1891 IN PLAT BOOK CC PAGE 172. RECORDED IN CHARLESTON COUNTY RMC.
 8. A PLAT BY ROBERT L. FRANK & ASSOC., DATED OCTOBER 29, 1893 IN PLAT BOOK CD PAGE 21. RECORDED IN CHARLESTON COUNTY RMC.
 9. A PLAT BY ARD SURVEYING COMPANY, INC., DATED FEBRUARY 21, 1899 IN PLAT BOOK BU PAGE 145. RECORDED IN CHARLESTON COUNTY RMC.
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 12. A PLAT BY W.L. GALLIARD, DATED JULY 18, 1886 IN PLAT BOOK BE PAGE 153. RECORDED IN CHARLESTON COUNTY RMC.
 13. A PLAT BY GEORGE A.Z. JOHNSON JR. INC., DATED APRIL 2, 1878 IN PLAT BOOK AG PAGE 21. RECORDED IN CHARLESTON COUNTY RMC.
 14. A PLAT BY HERBERT A. NIEMYER, JR., DATED NOVEMBER 3, 1867 IN PLAT BOOK BP PAGE 72. RECORDED IN CHARLESTON COUNTY RMC.
 15. A PLAT BY GEORGE D. SAMPLE, DATED NOVEMBER 15, 1875 IN PLAT BOOK T PAGE 67. RECORDED IN CHARLESTON COUNTY RMC.
 16. A PLAT BY W.L. GALLIARD, DATED MAY 5, 1878 IN PLAT BOOK IN PAGE 83. RECORDED IN CHARLESTON COUNTY RMC.
 17. A PLAT BY W.L. GALLIARD, DATED AUGUST 1841 IN PLAT BOOK F PAGE 80. RECORDED IN CHARLESTON COUNTY RMC.
 18. A PLAT BY W. LUCAS GALLIARD, DATED NOVEMBER 18, 1861 IN PLAT BOOK P PAGE 130. RECORDED IN CHARLESTON COUNTY RMC.
 19. A PLAT BY HERBERT A. NIEMYER, JR., DATED DECEMBER 19, 1891 IN PLAT BOOK OF PAGE 99. RECORDED IN CHARLESTON COUNTY RMC.
 20. A PLAT BY RANDEL C. OLSON, DATED MARCH 5, 1878 IN PLAT BOOK X PAGE 136. RECORDED IN CHARLESTON COUNTY RMC.
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 26. A PLAT DATED JANUARY 1873 IN PLAT BOOK B PAGE 46. RECORDED IN CHARLESTON COUNTY RMC.



LINE TABLE

LINE	LENGTH	BEARING
L1	88.89	N55°09'39"W
L2	100.83	N55°09'39"W
L3	85.01	N55°09'39"W
L4	52.05	N43°33'17"E
L5	30.59	S43°42'28"W
L6	27.89	N67°21'48"W

WETLAND LINE TABLE

LINE	LENGTH	BEARING
L7	7.60	N89°20'31"E
L8	40.40	S50°21'28"W
L9	80.00	S53°38'36"W
L10	60.00	S55°39'45"W
L11	35.54	S72°28'28"W
L12	41.00	S72°28'28"W
L13	47.00	S51°27'29"W
L14	37.83	S35°57'22"W
L15	51.13	S28°43'38"W
L16	11.44	S39°00'13"W
L17	23.41	N28°28'33"E
L18	34.87	S78°23'55"W
L19	34.17	N78°55'47"E
L20	31.70	N39°08'13"E
L21	7.58	S82°38'44"W
L22	28.30	S34°21'15"W
L23	34.84	S54°27'28"W
L24	66.92	S80°43'30"W
L25	42.06	S21°24'43"W
L26	20.00	S55°03'22"W
L27	68.62	S78°01'14"W
L28	80.25	S50°18'15"W
L29	28.30	S48°48'09"W
L30	53.65	S48°58'57"W
L31	44.07	N48°10'00"E
L32	60.18	S63°43'40"E
L33	54.53	S76°32'57"E
L34	6.89	S56°21'38"W
L35	10.48	N23°10'44"W
L36	52.23	S73°28'44"W
L37	48.87	N76°28'01"W
L38	40.74	N89°22'10"W
L39	34.89	S71°00'00"W
L40	18.49	S03°44'55"W
L41	34.56	S02°00'52"W
L42	41.62	S09°23'15"W
L43	38.93	S49°07'28"W
L44	36.40	S62°30'11"W
L45	27.40	S19°19'24"W
L46	24.50	S45°22'31"E
L47	45.53	N52°30'00"E
L48	41.79	N80°21'24"E
L49	37.70	N68°55'43"E
L50	48.29	S83°21'06"E
L51	35.39	S83°05'18"E
L52	44.48	N43°18'28"E
L53	35.73	N26°16'33"E
L54	48.11	S80°27'09"E
L55	50.59	S37°41'00"E
L56	53.07	N74°32'42"E
L57	44.96	S04°14'20"W
L58	40.00	N53°03'54"E
L59	40.89	N18°33'35"W
L60	30.48	N62°00'15"E
L61	43.44	N71°11'14"E
L62	48.21	N54°41'17"E
L63	48.18	N51°44'45"E
L64	38.20	N36°55'01"W
L65	28.64	N48°22'04"W
L66	38.61	S66°17'01"E
L67	13.71	S22°04'57"E
L68	17.03	S53°30'22"E
L69	16.92	S78°30'34"E
L70	17.01	N49°10'17"E
L71	47.43	N57°00'18"W
L72	47.54	S45°25'12"W
L73	28.14	S78°22'41"W
L74	35.87	N69°04'05"W
L75	21.21	S81°45'59"W
L76	22.82	S54°59'33"W
L77	38.13	S57°26'27"W
L78	48.88	S71°34'25"W
L79	59.40	S00°39'09"E
L80	70.48	N09°34'11"W
L81	48.00	S89°43'23"W
L82	37.86	N84°57'00"W
L83	60.72	S72°34'47"W
L84	48.27	S00°50'17"E
L85	38.83	S82°18'32"E
L86	26.62	N45°22'36"E
L87	34.47	S47°53'09"E
L88	27.44	S74°34'17"E
L89	32.19	N72°04'43"E
L90	18.25	S00°13'22"E
L91	38.36	S08°33'15"W
L92	31.00	S58°57'38"W
L93	37.89	S84°37'28"W
L94	44.78	S86°55'05"W
L95	50.55	S85°48'11"W
L96	52.93	S81°43'54"W
L97	25.19	S89°18'11"W
L98	66.18	S82°12'11"W
L99	21.29	S85°44'44"W
L100	60.56	N88°13'04"E
L101	20.94	S86°52'35"E
L102	28.72	N72°31'33"E
L103	78.79	N52°51'17"E
L104	40.34	N63°50'52"E
L105	41.28	N41°32'24"E
L106	34.59	N16°54'59"E
L107	42.21	N57°24'45"E
L108	7.38	N13°27'32"W
L109	21.47	N13°27'32"W
L110	33.61	N24°14'48"W
L111	39.19	N59°35'40"W
L112	46.82	S89°24'33"W
L113	17.85	S71°32'28"W
L114	11.21	S71°32'28"W
L115	21.60	S34°19'23"W
L116	34.23	S43°22'48"W
L117	35.81	S07°18'01"W
L118	32.60	S28°26'57"E
L119	23.11	S45°34'42"E
L120	31.71	S57°44'41"E

GPA
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 www.gpaland.com

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 430-A JESSUP L
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 FAX (843) 971-9

(CHARLOTTE BRANCH)
 P.O. BOX 38
 CHARLOTTE NC 28264-0038
 OFFICE (704) 335-8
 FAX (704) 335-8

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 BLUFFTON SC 29910
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EXCELLENCE AS A MARK

SCALE
 1"=100'

PLD. BK. PG.

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 030045

DATE
 11/26/08

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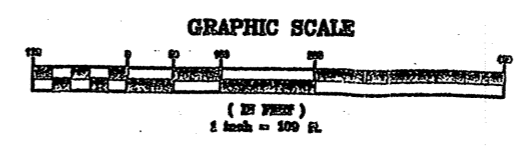
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 DLG

SHOWING SETTING TMS NO. 578-00-00-054 - OWNED BY JOHN A. FOREMAN,
 AND TMS NO. 578-00-00-050 - OWNED BY JOHN A. FOREMAN,
 AND TMS NO. 578-00-00-052 - OWNED BY BETTY JEAN HUGGINS,
 FEDERAL COLLEGE
 WETLAND SURVEY
 CHARLESTON COUNTY



W. BURNS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH CAROLINA, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, FAITH AND BELIEF THE SURVEY HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SOUTH CAROLINA SURVEYING ACT AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO USABLE ENCUMBRANCES OR PROJECTIONS OTHER THAN THOSE SHOWN. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVIEWING A CURRENT TITLE SEARCH. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS 17TH DAY OF JANUARY, 2008.

RMC AND PLANNING USE ONLY



DATE	REV. PER	REVISION	BY
1/16/08		REV. PER ARMY CORPS	

SHEET 1 OF 1



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
CHARLESTON, SOUTH CAROLINA 29403-5107

February 25, 2011

Regulatory Division

Mr. M. Derrick Myers
Newkirk Environmental, Inc.
Post Office Box 746
Mt. Pleasant, South Carolina 29465-0746

Dear Mr. Myers:

This is in response to your letter of February 10, 2011, which was received on February 11, 2011, requesting a wetland determination, on behalf of Shawn Smith, for a 0.463 acre tract located southeast of Lohr Drive, approximately 325 feet from the intersection with Hamlin Road, Mt. Pleasant, Charleston County, South Carolina. The project area is depicted on the survey plat you submitted which was prepared by Tim Elmer RLS, LLC, dated July 14, 2010, and entitled "PLAT / SHOWING TMS 576-00-00-049, BEING / NAMED PARCEL A, PROPERTY OF HENRY J / FOREMAN, LOCATED NEAR MOUNT PLEASANT, / CHARLESTON COUNTY, / SOUTH CAROLINA".


Based on an on-site inspection and a review of aerial photography and soil survey information, it has been determined that the referenced property does not contain any wetland areas or other waters of the United States and, as such, Department of the Army authorization will not be required for mechanized land clearing, excavation, or the placement of dredged or fill material on this site.

Please be advised that this determination is valid for five (5) years from the date of this letter unless new information warrants revision of the delineation before the expiration date. All actions concerning this determination must be complete within this time frame, or an additional delineation must be conducted. For the purposes of 33 CFR 331.2, this is considered to be an approved jurisdictional determination.

In future correspondence concerning this matter, please refer to SAC#2011-00154-2JR. A copy of this letter is being forwarded to the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management for their information.

If you have any questions concerning this matter, please contact Robin Collier-Socha at 843-329-8044 or toll free at 1-866-329-8187.

Respectfully,



Charles R. Crosby
Chief, South Branch

Enclosure:
Basis for Jurisdiction

Copy Furnished:

SCDHEC/OCRM
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

Form 1 of 1

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): January 25, 2011

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Charleston; Shawn Smith/Linnen Place Parcel A; SAC#2011-00154-2JR

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: SC County/parish/borough: Charleston City: Mt. Pleasant
Center coordinates of site (lat/long in degree decimal format): Lat. 32.849805° N, Long. -79.798265° W.
Universal Transverse Mercator:

Name of nearest waterbody: unnamed tributary to Hamlin Sound

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Hamlin Sound

Name of watershed or Hydrologic Unit Code (HUC): 3050202

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s): February 24, 2011

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: acres.

c. Limits (boundaries) of jurisdiction based on: Pick List

Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):³ [Including potentially jurisdictional features that upon assessment are NOT waters or wetlands]

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

Explain: .

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: _____

Summarize rationale supporting determination: _____

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": _____

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: **Pick List**

Drainage area: **Pick List**

Average annual rainfall: _____ inches

Average annual snowfall: _____ inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **Pick List** river miles from TNW.

Project waters are **Pick List** river miles from RPW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Project waters are **Pick List** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: _____

Identify flow route to TNW⁵: _____

Tributary stream order, if known: _____

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: feet
Average depth: feet
Average side slopes: **Pick List**.

Primary tributary substrate composition (check all that apply):

Silts Sands Concrete
 Cobbles Gravel Muck
 Bedrock Vegetation. Type/% cover:
 Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: **Pick List**

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: **Pick List**

Estimate average number of flow events in review area/year: **Pick List**

Describe flow regime:

Other information on duration and volume:

Surface flow is: **Pick List**. Characteristics:

Subsurface flow: **Pick List**. Explain findings:

Dye (or other) test performed:

Tributary has (check all that apply):

Bed and banks
 OHWM⁶ (check all indicators that apply):
 clear, natural line impressed on the bank the presence of litter and debris
 changes in the character of soil destruction of terrestrial vegetation
 shelving the presence of wrack line
 vegetation matted down, bent, or absent sediment sorting
 leaf litter disturbed or washed away scour
 sediment deposition multiple observed or predicted flow events
 water staining abrupt change in plant community
 other (list):
 Discontinuous OHWM.⁷ Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by: Mean High Water Mark indicated by:
 oil or scum line along shore objects survey to available datum;
 fine shell or debris deposits (foreshore) physical markings;
 physical markings/characteristics vegetation lines/changes in vegetation types.
 tidal gauges
 other (list):

(iii) **Chemical Characteristics:**

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain:

Identify specific pollutants, if known:

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: _____ acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain:

Surface flow is: **Pick List**

Characteristics:

Subsurface flow: **Pick List**. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain:

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List**.

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. Explain:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately () acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)

Size (in acres)

Directly abuts? (Y/N)

Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:

TNWs: linear feet width (ft), Or, acres.

Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**

Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:

Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
 Other non-wetland waters: acres.
Identify type(s) of waters: .

3. Non-RPWs⁸ that flow directly or indirectly into TNWs.

- Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

- Tributary waters: linear feet width (ft).
 Other non-wetland waters: acres.
Identify type(s) of waters: .

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

- Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
 Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
 Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from "waters of the U.S.," or
 Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
 Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
 from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 which are or could be used for industrial purposes by industries in interstate commerce.
 Interstate isolated waters. Explain: .
 Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
- Other non-wetland waters: acres.
Identify type(s) of waters: .
- Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

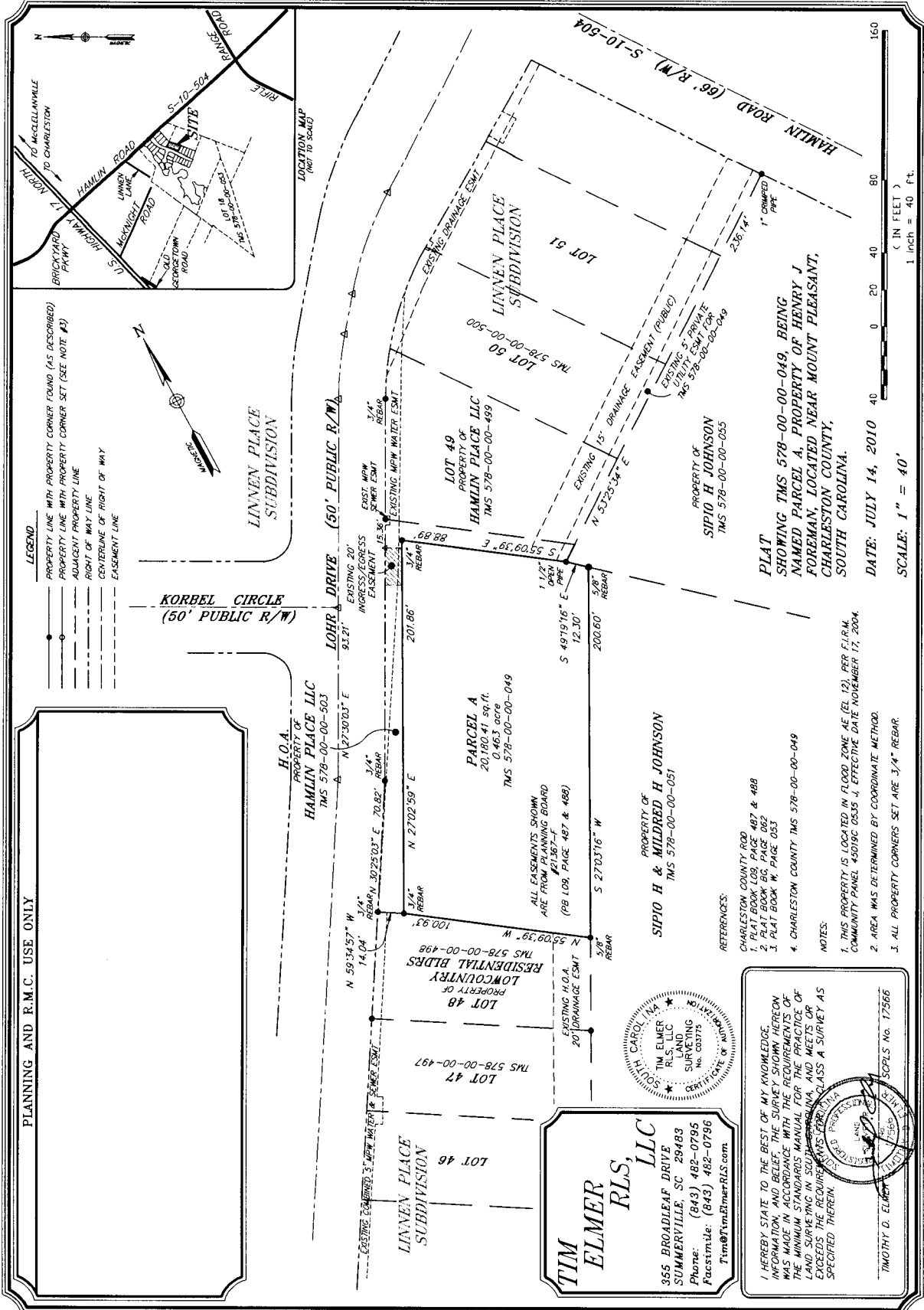
- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

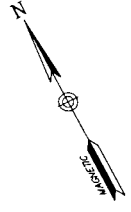
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Newkirk/Derrick Meyers.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas: .
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Ft. Moultrie.
- USDA Natural Resources Conservation Service Soil Survey. Citation: Charleston Soil Survey / Sheet 45.
- National wetlands inventory map(s). Cite name: Ft. Moultrie/ map info.
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: .
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 94:7446-159; 2006 map info.
or Other (Name & Date): .
- Previous determination(s). File no. and date of response letter: .
- Applicable/supporting case law: .
- Applicable/supporting scientific literature: .
- Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Based on soils information, NWI maps, quad sheets, information supplied by the consultant and a site visit on February 24, 2011, it is the determination of this office that there are no wetlands on this site.

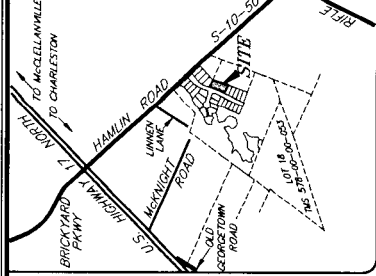


PLANNING AND R.M.C. USE ONLY

- LEGEND**
- PROPERTY LINE WITH PROPERTY CORNER FOUND (AS DESCRIBED)
 - PROPERTY LINE WITH PROPERTY CORNER SET (SEE NOTE #3)
 - ADJACENT PROPERTY LINE
 - RIGHT OF WAY LINE
 - CENTERLINE OF RIGHT OF WAY
 - EASEMENT LINE



LOCATION MAP (NOT TO SCALE)



TIM ELMER RLS, LLC
 3555 BROADLEAF DRIVE
 SUMMERSVILLE, SC 29483
 Phone: (843) 482-0795
 Facsimile: (843) 482-0796
 Tim@TvmElmerRLS.com



I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR CLASS A SURVEY AS SPECIFIED THEREIN.

TIMOTHY D. ELMER
 SCSPLS No. 17566

- REFERENCES:**
- CHARLESTON COUNTY ROD
 - PLAT BOOK LOS, PAGE 487 & 488
 - PLAT BOOK 56, PAGE 082
 - PLAT BOOK W, PAGE 083
 - CHARLESTON COUNTY TMS 578-00-00-049

- NOTES:**
- THIS PROPERTY IS LOCATED IN FLOOD ZONE AE (EL 12), PER F.I.R.M. COMMUNITY PANEL 43019C 0355 J, EFFECTIVE DATE NOVEMBER 17, 2004.
 - AREA WAS DETERMINED BY COORDINATE METHOD.
 - ALL PROPERTY CORNERS SET ARE 3/4" REBAR.

PLAT
 SHOWING TMS 578-00-00-049, BEING NAMED PARCEL A, PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

DATE: JULY 14, 2010 40
 SCALE: 1" = 40'
 (IN FEET)
 1 inch = 40 ft.

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

Recorded Plats

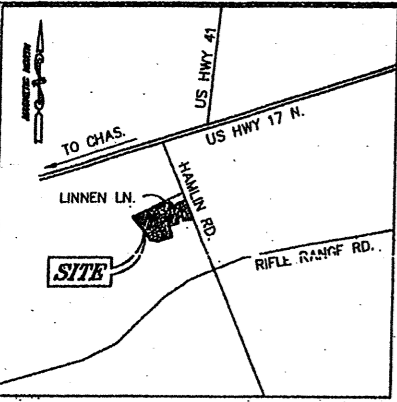
NOTES:

- 1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
- 2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.
- 3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
- 4) DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES. b) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
- 5) WETLANDS SHOWN ON THIS PLAT WERE SURVEYED BY GPA PROFESSIONAL LAND SURVEYORS AS DELINEATED BY OTHERS, APPROVED AND CERTIFIED BY THE ARMY CORPS OF ENGINEERS NO. SAC 81-2005-2883-2.
- 6) TAX MAP NUMBERS: 578-00-00-050 & 054.
- 7) WATER AND SEWER SERVICE TO BE PROVIDED BY MT. PLEASANT WATERWORKS. ALL LOTS WILL BE TIED INTO MT. PLEASANT WATER AND SEWER.
- 8) PROPERTY IS ZONED RR-1. DENSITY OF DWELLING UNITS = 2.75 UNITS PER ACRE.

FLOOD NOTE:

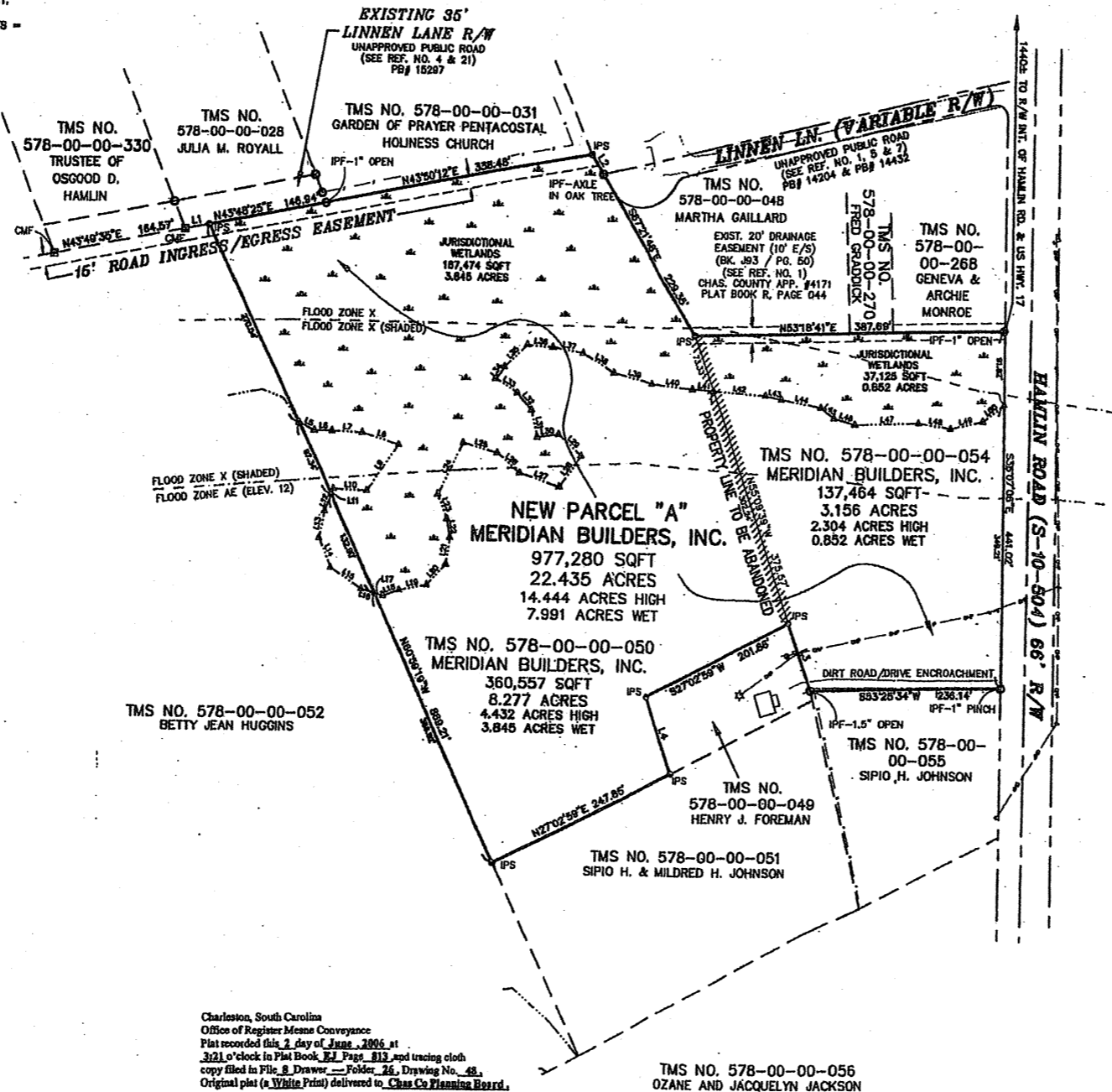
PROPERTY IS LOCATED IN FLOOD ZONE X AND ZONE AE (ELEV. 12) PER COMMUNITY PANEL NO. 45018C0535A, REVISED DATE NOVEMBER 17, 2004.

M N 584PG794



REFERENCES:

1. A PLAT BY W.S. GALLIARD, DATED OCTOBER 1, 1969 IN PLAT BOOK 2, PAGE 18, RECORDED IN CHARLESTON COUNTY RMC.
2. A PLAT BY ALPHA SURVEYING INC., DATED NOVEMBER 6, 1985 IN PLAT BOOK 85, PAGE 04, RECORDED IN CHARLESTON COUNTY RMC.
3. A PLAT BY FORREST G. CALVERT, DATED JANUARY 29, 1986 IN PLAT BOOK 86 PAGE 168, RECORDED IN CHARLESTON COUNTY RMC.
4. A PLAT BY CHARLES F. DAWLEY JR., DATED NOVEMBER 1, 1986 IN PLAT BOOK 86 PAGE 413, RECORDED IN CHARLESTON COUNTY RMC.
5. A PLAT BY ROBERT L. FRANK, DATED NOVEMBER 3, 1992 IN PLAT BOOK CK PAGE 42, RECORDED IN CHARLESTON COUNTY RMC.
6. A PLAT BY W.S. GALLIARD, DATED APRIL 17, 1974 IN PLAT BOOK AD PAGE 12, RECORDED IN CHARLESTON COUNTY RMC.
7. A PLAT BY ARC SURVEYING COMPANY, INC., DATED APRIL 19, 1991 IN PLAT BOOK CG PAGE 172, RECORDED IN CHARLESTON COUNTY RMC.
8. A PLAT BY ROBERT L. FRANK & ASSOC., DATED OCTOBER 28, 1993 IN PLAT BOOK CO PAGE 21, RECORDED IN CHARLESTON COUNTY RMC.
9. A PLAT BY ARC SURVEYING COMPANY, INC., DATED FEBRUARY 21, 1989 IN PLAT BOOK BU PAGE 145, RECORDED IN CHARLESTON COUNTY RMC.
10. A PLAT BY H.P. TOMPKINS, JR. INC., DATED SEPTEMBER 2, 1987 IN PLAT BOOK BO PAGE 111, RECORDED IN CHARLESTON COUNTY RMC.
11. A PLAT BY STEPHENS ENGINEERING INC., DATED JANUARY 27, 1988 IN PLAT BOOK BG PAGE 82, RECORDED IN CHARLESTON COUNTY RMC.
12. A PLAT BY W.L. GALLIARD, DATED JULY 16, 1985 IN PLAT BOOK BE PAGE 153, RECORDED IN CHARLESTON COUNTY RMC.
13. A PLAT BY GEORGE A.Z. JOHNSON JR. INC., DATED APRIL 2, 1978 IN PLAT BOOK AG PAGE 21, RECORDED IN CHARLESTON COUNTY RMC.
14. A PLAT BY HERBERT A. NIEMEYER, JR., DATED NOVEMBER 3, 1987 IN PLAT BOOK BP PAGE 72, RECORDED IN CHARLESTON COUNTY RMC.
15. A PLAT BY GEORGE D. SAMPLE, DATED NOVEMBER 15, 1975 IN PLAT BOOK Y PAGE 67, RECORDED IN CHARLESTON COUNTY RMC.
16. A PLAT BY W.L. GILLARD, DATED MAY 6, 1976 IN PLAT BOOK W PAGE 83, RECORDED IN CHARLESTON COUNTY RMC.
17. A PLAT BY J.R. GALLIARD, DATED AUGUST 1941 IN PLAT BOOK F PAGE 80, RECORDED IN CHARLESTON COUNTY RMC.
18. A PLAT BY W. LUCAS GALLIARD, DATED NOVEMBER 15, 1991 IN PLAT BOOK P PAGE 130, RECORDED IN CHARLESTON COUNTY RMC.
19. A PLAT BY HERBERT A. NIEMEYER, JR., DATED DECEMBER 19, 1991 IN PLAT BOOK Q PAGE 99, RECORDED IN CHARLESTON COUNTY RMC.
20. A PLAT BY RANDE C. OLSON, DATED MARCH 9, 1978 IN PLAT BOOK X PAGE 139, RECORDED IN CHARLESTON COUNTY RMC.
21. A PLAT BY GEORGE A.Z. JOHNSON, JR. INC., DATED DECEMBER 30, 1993 IN PLAT BOOK CO PAGE 182, RECORDED IN CHARLESTON COUNTY RMC.
22. A PLAT BY JOEL P. PORCHER, DATED NOVEMBER 16, 1983 IN PLAT BOOK AY PAGE 140, RECORDED IN CHARLESTON COUNTY RMC.
23. A PLAT BY GEORGE A.Z. JOHNSON, JR. INC., DATED DECEMBER 30, 1993 IN PLAT BOOK CO PAGE 152, RECORDED IN CHARLESTON COUNTY RMC.
24. A PLAT BY ARC SURVEYING COMPANY, INC., DATED APRIL 19, 1991 IN PLAT BOOK CC PAGE 184, RECORDED IN CHARLESTON COUNTY RMC.
25. A PLAT BY ALPHA SURVEYING INC., DATED JULY 23, 1988 IN PLAT BOOK BJ PAGE 127, RECORDED IN CHARLESTON COUNTY RMC.
26. A PLAT, DATED JANUARY 1873 IN PLAT BOOK B PAGE 46, RECORDED IN CHARLESTON COUNTY RMC.



LINE	LENGTH	BEARING
L1	30.06	S43°48'25"W
L2	27.88	N87°21'48"W
L3	86.89	N56°09'36"W
L4	100.83	N65°09'39"W
L5	21.21	S81°45'59"W
L6	22.82	S84°59'33"W
L7	34.13	S80°09'27"W
L8	48.68	S87°28'27"W
L9	69.40	S71°24'25"W
L10	49.21	N87°24'48"E
L11	7.38	N13°27'32"W
L12	21.47	N13°27'32"W
L13	35.61	N24°11'48"W
L14	39.19	N89°35'40"W
L15	46.82	S88°24'53"W
L16	17.86	S71°32'28"W
L17	11.21	S71°32'28"W
L18	21.60	S71°32'28"W
L19	34.23	S43°22'46"W
L20	36.81	S07°00'11"W
L21	32.60	S28°28'57"E
L22	23.11	S45°34'42"E
L23	31.71	S57°44'41"E
L24	70.48	N09°24'11"W
L25	48.00	S89°43'23"W
L26	37.25	N84°57'00"W
L27	60.72	S72°23'47"W
L28	46.72	S02°30'12"E
L29	38.63	S82°18'32"E
L30	28.62	N44°22'34"E
L31	34.47	S47°52'58"E
L32	27.44	S74°37'51"E
L33	32.18	N87°04'43"E
L34	18.25	S00°01'32"E
L35	39.38	S09°33'18"W
L36	31.00	S88°07'38"W
L37	37.88	S84°37'28"W
L38	44.79	S88°03'03"W
L39	60.86	S85°48'11"W
L40	82.83	S81°43'44"W
L41	26.19	S89°12'11"W
L42	86.18	S88°12'11"W
L43	21.29	S88°04'44"W
L44	60.86	N88°13'04"E
L45	20.84	S88°02'35"E
L46	25.72	N72°31'13"E
L47	28.79	N82°11'17"E
L48	40.34	N63°00'26"E
L49	41.28	N41°32'22"E
L50	34.58	N16°41'58"E

GPA
PROFESSIONAL LAND SURVEYORS
www.gpaland.com

(CHARLESTON BRANCH)
458 W. JESSON LANE
CHARLESTON, SC 29405
OFFICE (843) 335-8000
FAX (843) 871-8088

(CHARLOTTE BRANCH)
P.O. BOX 36916
CHARLOTTE, NC 28236-8916
OFFICE (704) 335-8000
FAX (704) 335-8088

(WILTON HEAD BRANCH)
ONE GOLFVIEW PLACE, SUITE 2
BLUFFTON, SC 29910
OFFICE (843) 815-3830
FAX (843) 815-7862

"EXCELLENCE AS A NORM"

SCALE
1"=100'

FLD. BK. PG.

JOB NO.
055045

DATE
4/25/06

DRAWN BY
WGM

CHECKED BY
DLG

SHOWING THE ABANDONMENT OF THE PROPERTY LINES OF TMS NO. 578-00-00-054 AND TMS NO. 578-00-00-050 - OWNED BY MERIDIAN BUILDERS, INC. - TO CREATE ONE NEW TRACT "A" CONTAINING 22.435 ACRES. MERIDIAN BUILDERS, INC. IS LOCATED IN CHARLESTON COUNTY SOUTH CAROLINA

PLAT

CHRIST CHURCH PARISH
CHARLESTON COUNTY

LEGEND

- ⊙ - IRON PIN FOUND (AS DESCRIBED)
- ⊙ - IRON PIN SET (5/8" REBAR)
- △ - CALCULATED POINT
- - RIGHT-OF-WAY
- - - - - EASEMENT LINE (AS DESCRIBED)
- PP# - CHARLESTON PLANNING BOARD NUMBER



NATHAN F. BURNS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH CAROLINA, HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS SURVEY IS NOT VALID UNLESS ENDORSED WITH AN ORIGINAL SURVEYORS SEAL. THIS SURVEY HAS BEEN DONE WITHOUT THE BENEFIT OF REVERING A CURRENT TITLE SEARCH. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 26TH DAY OF MAY, 2006.

Nathan F. Burns
Nathan F. Burns, PLS-22748

RMC AND PLANNING USE ONLY

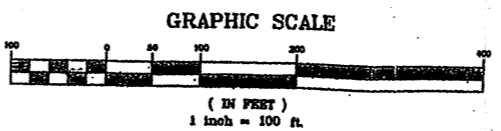
APPROVED FINAL PLAT

John B. Wang For Janette Miller
Director of Planning
Charleston County Planning Commission

20437 June 2, 2006
Appl. # Date

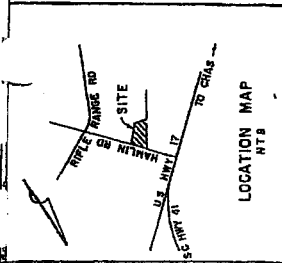
Charleston, South Carolina
Office of Register Means Conveyance
Plat recorded this 2 day of June, 2006 at 3:21 o'clock in Plat Book 81 Page 812 and tracing cloth copy filed in File # Drawer # Folder #, Drawing No. 48. Original plat (a White Plat) delivered to Chas Co Planning Board.

Chris Ford
Register Means Conveyance



05/28/06	REVISED PER COUNTY COMMENTS	WGM
----------	-----------------------------	-----

BK Y201PG302



LOCATION MAP NTS

Charleston South Co. Inc.
Office of Register & Survey
Plat returned this 10/2/91
J.S. [Signature] in Plat Book 22 pg 17
copy 11/1/91 show site with
No 3/2/91 show site with
[Signature] in Plat Book 22 pg 17

WARRANTING
APPROVAL OF THIS PLAT BY THE BOARD OF HEALTH DEPARTMENT STANDARDS FOR A MODIFIED CONVENTIONAL SUB-SURFACE DISPOSAL SYSTEM ONLY

J A FOREMAN

THESE LOTS MEET HEALTH DEPARTMENT STANDARDS FOR A MODIFIED CONVENTIONAL SUB-SURFACE DISPOSAL SYSTEM ONLY

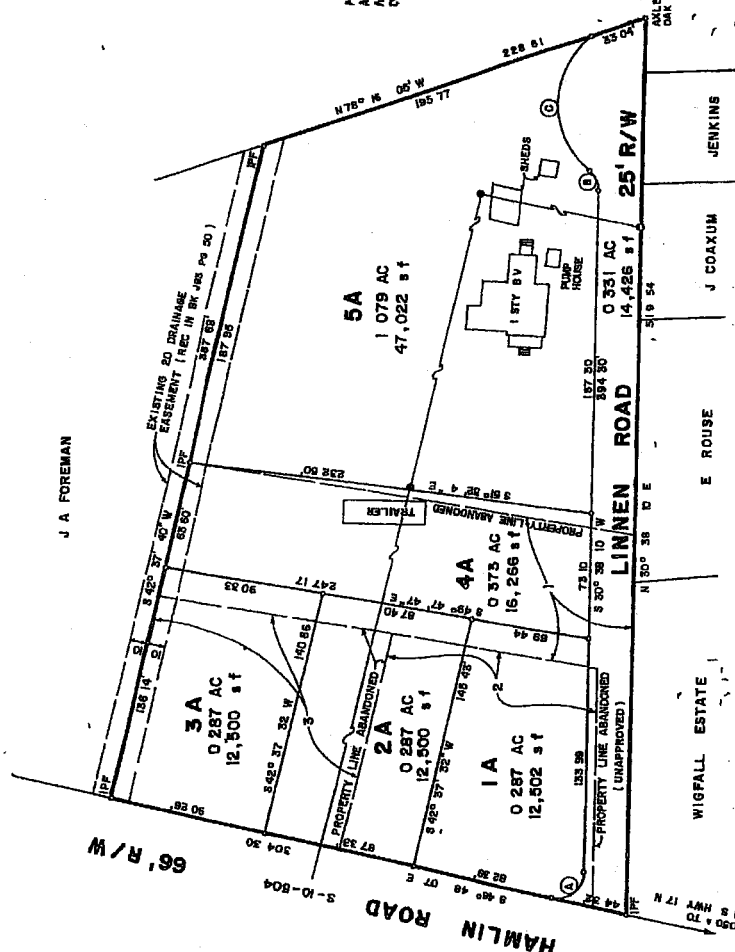


Table with columns CURVE A, CURVE B, CURVE C and various curve data points.

APPROVED FINAL PLAT
ALPHA SURVEYING COMPANY
DIRECTOR OF PLANNING
CHARLESTON COUNTY PLANNING BOARD
DATE APRIL 16, 1991
PB# 14-204

PLAT SHOWING THE RESUBDIVISION OF LOTS 1, 2, 3, AND A 1308 ACRE TRACT OF LAND INTO LOTS 1A-5A

CHRIST CHURCH, PARISH CHARLESTON COUNTY SOUTH CAROLINA
FEBRUARY 11, 1991
SCALE 1" = 50'



ARC SURVEYING COMPANY, INC
PO BOX 1084
MT PLEASANT S C 29463
(803) 881 4813

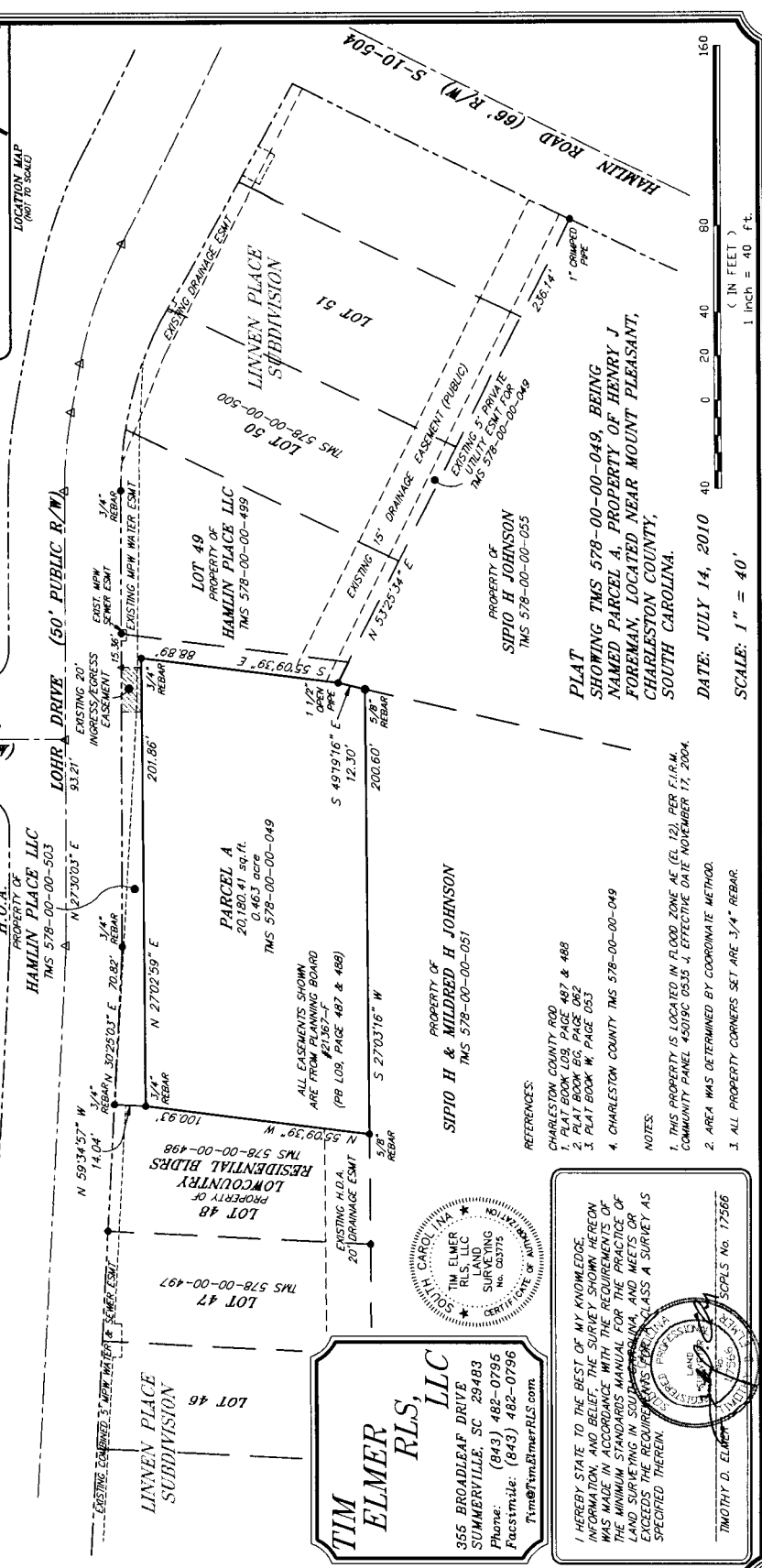
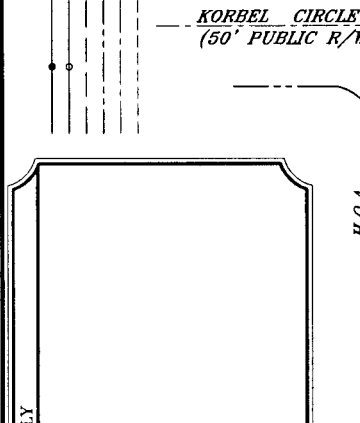
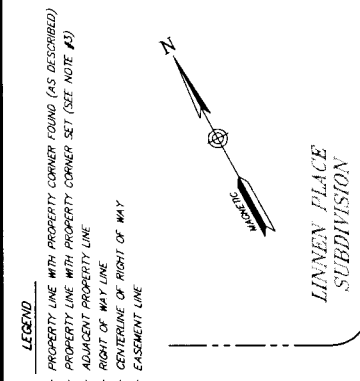
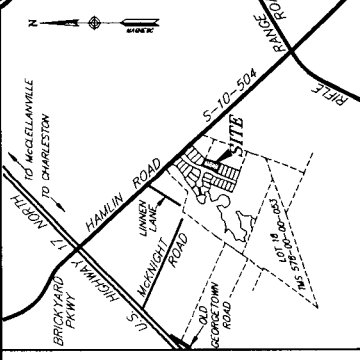
- NOTES
1. TOTAL ACRES 2,848 AC
2. OWNER OF LOTS 1, 2 AND 3 IS JEANNETTE GAILLARD LEE OWNER OF 1274 ACRES IS JEANNETTE GAILLARD LEE AND MARTHA GAILLARD
3. ALL PROPERTY CORNERS MARKED WITH IRON PIPES UNLESS SHOWN OTHERWISE
4. IRON PIPES FOUND
5. REFERENCE PLAT BY ARC SURVEYING COMPANY INC DATED JAN 19 1989 RECORDED IN BK 89 PG 148
6. REFERENCE PLAT BY ALPHA SURVEYING, INC, DATED OCT 22, 1988, RECORDED IN BK 88 PG 4
7. REFERENCE PLAT BY ALPHA SURVEYING, INC, DATED OCT 22 1986, RECORDED IN BK 89 PG 169

WE HEREBY DEDICATE THE 25' RIGHT OF WAY SHOWN HEREIN TO THE PUBLIC OWNER OWNERS OF THESE LOTS, THEIR HEIRS AND ASSIGNS SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THIS PLAT AS IT IS ACCEPTED INTO A PUBLIC MAIN TENANCE SYSTEM
JEANNETTE GAILLARD LEE
MARTHA GAILLARD



PENOLA A VAN BUREN is Registered Land Surveyor in the State of South Carolina hereby certify that I have accepted the property shown hereon that this plat shows its location and that all necessary surveys have been located and that the same are determined by coordinate method, and that the Plat of the Survey is 10/2/91
Penola A Van Buren
PENOLA A VAN BUREN RLS
S C REG NO 11075

CC-172 Feb. 91



DATE: JULY 14, 2010 40' SCALE: 1" = 40' (IN FEET) 1 inch = 40 ft.

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON... TIMOTHY D. ELMER, LICENSED PROFESSIONAL SURVEYOR, No. 17566



TIM ELMER RLS, LLC 355 BROADLEAF DRIVE SUMMERSVILLE, SC 29483 Phone: (843) 482-0795 Facsimile: (843) 482-0796 Time@TimElmerRLS.com

REFERENCES: CHARLESTON COUNTY R00 1. PLAT BOOK 109, PAGE 487 & 488 2. PLAT BOOK 60, PAGE 632 3. PLAT BOOK 14, PAGE 053 4. CHARLESTON COUNTY TMS 578-00-049

NOTES: 1. THIS PROPERTY IS LOCATED IN FLOOD ZONE AE (EL 12), PER F.I.R.M. COMMUNITY PANEL 45019C 0535 J, EFFECTIVE DATE NOVEMBER 17, 2004. 2. AREA WAS DETERMINED BY COORDINATE METHOD. 3. ALL PROPERTY CORNERS SET ARE 3/4" REBAR.

PROPERTY OF SIPIO H & MILDRED H JOHNSON TMS 578-00-00-051

PROPERTY OF H.O.A. OF HAMLIN PLACE LLC TMS 578-00-00-503

PROPERTY OF SIPIO H JOHNSON TMS 578-00-00-055

PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

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PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

PROPERTY OF HENRY J FOREMAN, LOCATED NEAR MOUNT PLEASANT, CHARLESTON COUNTY, SOUTH CAROLINA.

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

Traffic Analysis



South Carolina
Department of Transportation

Beaufort County
Berkeley County
Charleston County
Colleton County
Dorchester County
Jasper County

May 9, 2007

Mr. Brian J. Foster
Acquisition and Development Manager
Meridian Builders, Inc.
887 Johnnie Dodds Boulevard
Suite 200
Mount Pleasant, South Carolina 29464

Re: S-10-504 – Hamlin Road – Hamlin Place Residential Development traffic
impact study – Preliminary Review

Dear Mr. Foster:

I have reviewed the traffic impact study that was prepared for Hamlin Place and dated July 20, 2006. The study described the proposed development and its impact on surrounding intersections.

I concur with the findings of this study and agree that no mitigation efforts will be necessary. At this time, construction plans as well as an encroachment permit application should be sent to our Charleston Maintenance Office for review.

If you have any questions, please contact Mr. Nick Rebovich at 740-1667 ext 148.

Sincerely,

^{for} D. Mark Nesbit, P.E.
District Traffic Engineer

cc: Chris Gossett P.E., Resident Maintenance Engineer
Matt Short, SRS Engineering
Richard Bailey, Hussey, Gay, Bell & Deyoung, Inc

File: D6/Charleston /DMN





SRS Engineering, LLC
801 Mohawk Drive
West Columbia, SC 29169
(803) 739-2448 fax

July 20, 2006

Mr. Brian J. Foster
Acquisition and Development Manager
Meridian Builders, Inc.
887 Johnnie Dodds Blvd. - Suite 200
Mount Pleasant, SC 29464

**RE: Traffic Impact and Access Study
Hamlin Place Residential Development : Charleston County, SC**

Dear Mr. Foster:

As requested, SRS Engineering, LLC (SRS) has completed an assessment of the traffic impacts associated with the proposed Hamlin Place residential development to be located in Charleston County, South Carolina. The following provides a summary of this study's findings.

PROJECT DESCRIPTION

The project site is located on the south side of Hamlin Road, between US 17 and Rifle Range Road. Presently the site, which totals approximately 23-acres, is undeveloped. The project proposal is to construct a maximum total of 51 single-family residential units on-site. As scheduled, this project is planned to be constructed and fully occupied/operational by 2007.

As planned, primary direct access to/from the site will be provided via one full-movement access driveway to/from Hamlin Road, which is proposed approximately 560-feet (centerline to centerline) east of Linen Lane.

EXISTING CONDITIONS

A comprehensive field inventory of the project study area was conducted in June 2006. The field inventory included a collection of geometric data, traffic volumes, and traffic control within the study area. The following section details the current traffic conditions and includes a description of roadways/intersections serving the site and traffic flow in close proximity to the project.

Study Area Roadways

US 17 - is a four-lane divided major arterial roadway consisting of two travel lanes in each direction separated by a grassed median. This roadway has a posted speed limit of 55 miles-per-hour (mph) and is under the jurisdiction of the SCDOT.

Hamlin Road - is a two-lane undivided collector roadway consisting of one travel lane in each direction separated by a double-yellow centerline. This roadway has a posted speed limit of 35 mph (30 mph in school zone) and is under the jurisdiction of the SCDOT.

Rifle Range Road - is a two-lane undivided collector/minor arterial roadway consisting of one travel lane in each direction separated by a double-yellow centerline. This roadway has a posted speed limit of 45 mph and is under the jurisdiction of the SCDOT.

Study Area Intersections

US 17 at Hamlin Road/Brickyard Parkway - is a four-legged signalized intersection where US 17 makes up the northbound and southbound approaches, Hamlin Road makes up the westbound approach and Brickyard Parkway makes up the eastbound approach. Both the northbound and southbound approaches of US 17 provide a separate left-turn lane, two through lanes and a separate right-turn lane. The westbound (Hamlin Road) approach provides a separate left-turn lane and a shared through/right-turn lane. The eastbound (Brickyard Parkway) approach provides a shared left-turn/through lane and a separate right-turn lane. This intersection operates under multi-phased traffic signal control where the northbound and southbound (US 17) left-turn movements operate under protected/permissive signal phasing.

Hamlin Road at Rifle Range Road - is a four-legged unsignalized intersection where Rifle Range Road makes up the northbound and southbound approaches and Hamlin Road makes up the eastbound and westbound approaches. All approaches to this intersection consist of one lane from which all turning movements are made. This intersection operates under STOP sign control where the Hamlin Road approach legs are required to stop.

Traffic Volumes

In order to determine the existing traffic volume flow patterns within the study area, manual turning movement count data was collected. Weekday morning (7:00-9:00 AM) and evening (4:00-6:00 PM) peak period turning movement specific manual counts were collected for the following two study area intersections:

- US 17 at Hamlin Road/Brickyard Parkway; and
- Hamlin Road at Rifle Range Road.

Figure 1, located in the appendix of this report, graphically depicts the Existing AM and PM peak-hour traffic volumes at the study area intersections. Summarized count sheets for these intersections are included in the appendix of this report.

It should be noted that the most recently collected turning movement data for the Rifle Range Road at Hamlin Road intersection was collected when the Jennie Moore Elementary school was not in session. To account for school operations, all applicable turning movements at this intersection were upwardly adjusted based on prior year(s) count data collected during time periods with the school in operation. Note that only the AM peak-hour volumes have been adjusted to account for school operations.

FUTURE CONDITIONS

Traffic analyses for future conditions have been conducted for two separate scenarios: first, 2007 No-Build conditions, which include an annual normal growth in traffic, all pertinent background development traffic, and any pertinent planned roadway/intersection improvements; and secondly, 2007 Build conditions, which account for all No-Build conditions PLUS traffic generated by the proposed development.

No-Build Traffic Conditions

Annual Growth Rate

A varying annual growth rate was developed based on prior information provided by Town of Mount Pleasant staff. This annual growth rate, which would account for all unspecified traffic growth, was applied to the 2006 Existing peak-hour traffic volumes. The varying annual growth rates utilized are depicted in **Figure 2**.

Background Development

In accordance with information provided by Town of Mount Pleasant staff, the following development project exists which is currently approved and/or permitted and will cause an increase/change in traffic volume (in excess of normal traffic volume growth) within the study area:

- Oakland Plantation.

As such, the percentage of Oakland Plantation site traffic corresponding to the cited horizon year for the Hamlin Place project has been accounted for in this report.

The anticipated 2007 No-Build AM and PM peak-hour traffic volumes, which reflect the varying annual growth rate, along with traffic related to the above-cited background development project, are shown in **Figure 3**, which follows this report.

Planned Roadway Improvements

Based on conversations with County, Town and SCDOT staff, there are presently no roadway/intersection improvements planned prior to the projected horizon year of the development that would affect individual intersection and/or roadway capacities within the specified study area.

Site-Generated Traffic

Traffic volumes expected to be generated by the proposed project were forecasted using the Seventh Edition of the ITE *Trip Generation* manual, as published by the Institute of Transportation Engineers. Land-Use Code #210 (Single-Family Detached Housing) was used to estimate the specific site-generated traffic. **Table 1** depicts the anticipated site-generated traffic.

Table 1
PROJECT TRIP-GENERATION SUMMARY¹
Hamlin Place

Time Period	51 Single-Family Residential Units
Weekday Daily	560
AM Peak-Hour	
Enter	12
<u>Exit</u>	<u>34</u>
Total	46
PM Peak-Hour	
Enter	37
<u>Exit</u>	<u>22</u>
Total	59

1. Source: ITE *Trip Generation* manual, Seventh Edition; LUC 210.

As shown, the Hamlin Place residential development can be expected to generate a total of 560 two-way vehicular trips on a weekday daily basis, of which a total of 46 trips (12 entering, 34 exiting) can be expected during the AM peak-hour. During the PM peak-hour, 59 trips (37 entering, 22 exiting) can be expected.

Distribution Pattern

The directional distribution of site-generated traffic on the study area roadways has been based on an evaluation of existing and projected travel patterns within the study area and is shown in **Table 2**. This distribution pattern has been applied to the site-generated traffic volumes from **Table 1** to develop the site-generated specific volumes for the study area intersections illustrated in **Figure 4**, which follows this report.

Table 2
TRIP DISTRIBUTION PATTERN
Hamlin Place

Roadways	Direction To/From	Enter/Exit
US 17	North (towards Georgetown)	20
	South (towards Charleston)	55
Rifle Range Road	South	25
	Total	100

Note: Based on the existing & projected future traffic patterns.

Build Traffic Conditions

The site-generated traffic, as depicted in **Figure 4**, has been added to the respective 2007 No-Build traffic volumes shown in **Figure 3**. This results in the peak-hour Build traffic volumes, which are graphically depicted in **Figure 5**. These volumes were used as the basis to determine potential improvement measures necessary to mitigate traffic impacts caused by the project.

TRAFFIC OPERATIONS

Analysis Methodology

A primary result of capacity analysis is the assignment of Level-of-Service (LOS) to traffic facilities under various traffic flow conditions. The concept of Level-of-Service is defined as a qualitative measure describing operational conditions within a traffic stream and their perception by motorists and/or passengers. A Level-of-Service designation provides an index to the quality of traffic flow in terms of such factors as speed, travel time, freedom to maneuver, traffic interruptions, comfort, convenience, and safety.

Six Levels-of-Service are defined for each type of facility (signalized and unsignalized intersections). They are given letter designations from A to F, with LOS A representing the best operating conditions and LOS F the worst.

Since the Level-of-Service of a traffic facility is a function of the traffic flows placed upon it, such a facility may operate at a wide range of Levels-of-Service depending on the time of day, day of week, or period of a year.

Analysis Results

As part of this traffic study, capacity analyses have been performed at the study area intersections under both Existing and Future (No-Build & Build) conditions. The results of these analyses are summarized in Table 3.

Table 3
LEVEL-OF-SERVICE SUMMARY
STUDY AREA INTERSECTIONS
Hamlin Place

Signalized Intersection	Time Period	EXISTING			2007 NO-BUILD			2007 BUILD		
		V/C ^a	Delay ^b	LOS ^c	V/C	Delay	LOS	V/C	Delay	LOS
US 17 at Hamlin Road/Brickyard Parkway	AM	0.97	37.3	D	1.04	60.3	E	1.05	62.2	E
	PM	0.90	23.7	C	0.98	37.3	D	0.99	37.6	D
Unsignalized Intersection										
Hamlin Road at Rifle Range Road	AM		48.2	E		94.3	F		103.0	F
	PM		61.7	F		118.0	F		132.1	F

- a. Volume-to-Capacity ratio.
- b. Delay in seconds-per-vehicle.
- c. LOS = Level-of-Service.

GENERAL NOTES:

- 1. For signalized intersections, Delay is representative of overall intersection.
- 2. For unsignalized intersections, Delay is representative of critical movement/approach.

As shown in Table 3, under Existing traffic volume conditions, the signalized US 17 at Hamlin Road/Brickyard Parkway study area intersection operates acceptably (LOS D or better) overall during both the AM and PM peak-hour time periods. It should be noted that, although this intersection operates acceptably in terms of overall Level-of-Service, the overall V/C ratios are at or above 0.90 and several side-street movements and/or approaches presently operate unacceptably with significant delays. This is due to the fact that very high traffic flows along US 17 must be served with the majority of green time and is most notable during the AM peak-hour. The unsignalized Rifle Range Road at Hamlin Road intersection operates unacceptably during both the AM and PM peak-hour time periods.

Under 2007 No-Build traffic volume conditions, which account for the addition of a normal annual growth in traffic as well as a portion of the traffic to be generated by the Oakland Plantation development project, V/C ratios and delay values are anticipated to increase such that overall unacceptable service levels are realized at the signalized US 17/Hamlin Road/Brickyard Plantation intersection during the critical AM peak-hour. The unsignalized Rifle Range Road/Hamlin Road intersection will remain unacceptable during both the AM and PM peak-hour with increased delay values.

With the addition of traffic related to the Hamlin Place residential development, delay and V/C ratios will be increased slightly throughout the study area, but all study area intersections will continue to operate (either acceptably or unacceptably) as under 2007 No-Build conditions.

MITIGATION

The final phase of the analysis process is to identify mitigating measures which may either minimize the impact of the project on the transportation system or tend to alleviate poor service levels not caused by the project. The following describes measures necessary to mitigate the project's impact:

Proposed Site Access

As planned, primary direct access to/from the site will be provided via one full-movement access driveway to/from Hamlin Road, which is proposed approximately 560-feet east of Linen Lane.

It is suggested that, at a minimum, the following geometrics and traffic control be provided at the project's main access intersection to/from River Road:

- **Eastbound (Hamlin Road) Approach:** No improvements necessary. Right-turn movements into the development can be accommodated from single shared through/right-turn lane. Separate right-turn lane not required per **Figure 15.5A** of *SCDOT Highway Design Manual*;
- **Westbound (Hamlin Road) Approach:** No improvements necessary. Left-turn movements into the development can be accommodated from single shared left-turn/through lane. Separate left-turn lane not required per **Figure 15.5G** of *SCDOT Highway Design Manual*;
- **Northbound (Proposed Site Access) Approach:** Construct/stripe new approach leg to intersection. Provide a single lane for left and right-turn movements exiting the site. It is recommended that the approach lane/radius return to Hamlin Road be constructed in a manner to allow for a right-turning vehicle to maneuver around any potentially queued left-turning vehicles; and
- **Traffic Control:** Place intersection under STOP sign control such that Hamlin Road operates as the major street approach and the proposed site access drive operates as the minor street approach.

The following **Table 4** depicts the operational characteristics for the site access intersection with the above-cited geometrics and traffic control in place.

Table 4
LEVEL-OF-SERVICE SUMMARY
SITE ACCESS INTERSECTION
Hamlin Place

<u>Site Access Intersection</u>	<u>Time Period</u>	<u>2007 BUILD</u>	
		<u>Delay^a</u>	<u>LOS^b</u>
Hamlin Road at Proposed Site Access	AM	13.1	B
	PM	11.9	B

a. Delay in seconds-per-vehicle.

b. LOS = Level-of-Service.

GENERAL NOTES:

1. For unsignalized intersections, delay is representative of critical movement and/or approach.

As shown in the above Table 4, the proposed site access intersection is anticipated to operate at a good LOS B under 2007 future Build conditions during both the AM and PM peak-hour time periods.

Off-Site Study Area Intersections

Rifle Range Road at Hamlin Road

As shown in Table 3, the Rifle Range Road/Hamlin Road unsignalized intersection is expected to operate unacceptably under the future 2007 No-Build and Build traffic volume condition during both the AM and PM peak-hour time periods. Project related traffic is not anticipated to directly cause this intersection to fail. Unacceptable operating levels are projected with or without the development of the proposed Hamlin Place residential development.

This intersection is projected to operate unacceptably under future conditions with or without the development of the Hamlin Place residential development. Therefore no improvement/mitigation is suggested to support this project. Based on conversations with Town of Mount Pleasant staff, this intersection is cited in the Town's Long Range Plan to be modified/improved to provide either:

- Roundabout traffic control; or
- Additional turning lanes with traffic signal control.

When either of these improvements is realized, operations are expected to dramatically improve.

US 17 at Hamlin Road/Brickyard Parkway

As shown in Table 3, the US 17/Hamlin Road/Brickyard Parkway signalized intersection is expected to operate unacceptably overall under the future 2007 No-Build and Build traffic volume conditions during the critical AM peak-hour time period. In addition, several side-street movements and/or approaches are projected to operate unacceptably with significant delays both time periods studied. Project related traffic is not anticipated to directly cause this intersection to fail. Unacceptable operating levels are projected with or without the development of the proposed Hamlin Place residential development.

Mr. Brian J. Foster
July 20, 2006
Page 8

This intersection is projected to operate unacceptably under future conditions with or without the development of the Hamlin Place residential development. Therefore no improvement/mitigation is suggested to support this project. In order to achieve acceptable operating levels, the potential of additional capacity (i.e. travel lanes) to US 17 should be considered in the near future. This roadway is currently at/near capacity and will only worsen as development in this area continues to occur. Based on conversations with Town of Mount Pleasant staff, the widening of US 17 from the Isle of Palms Connector to SC 41 is cited in the Town's Long Range Plan. At present, the Town, County & SCDOT are attempting to consolidate several private/public funding sources such that this widening can be let as one all-inclusive project. It is anticipated that this project will be completed and operational within the next three to five years. When this improvement is realized, operations are expected to dramatically improve along this segment of US 17.

If you have any questions or comments regarding any information contained within this report, please contact me at (803) 252-1599.

Regards,

SRS ENGINEERING, LLC

A handwritten signature in black ink that reads "MATT SHORT" followed by a date "8/9/06". The signature is written in a cursive, somewhat stylized font.

Matt Short
Principal

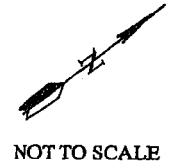
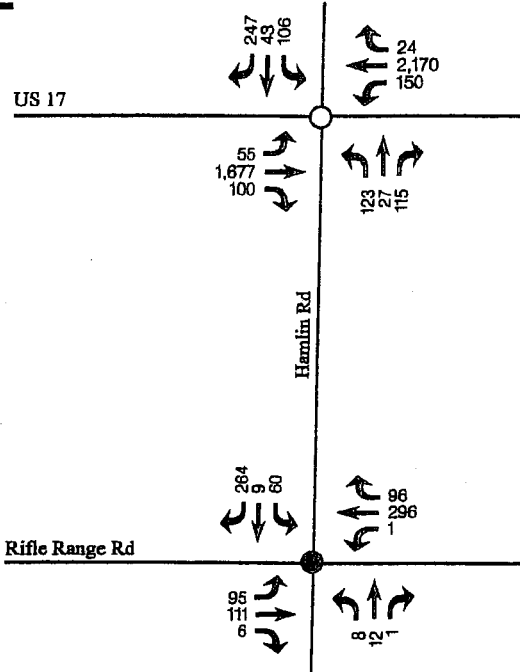
Attachments

APPENDIX

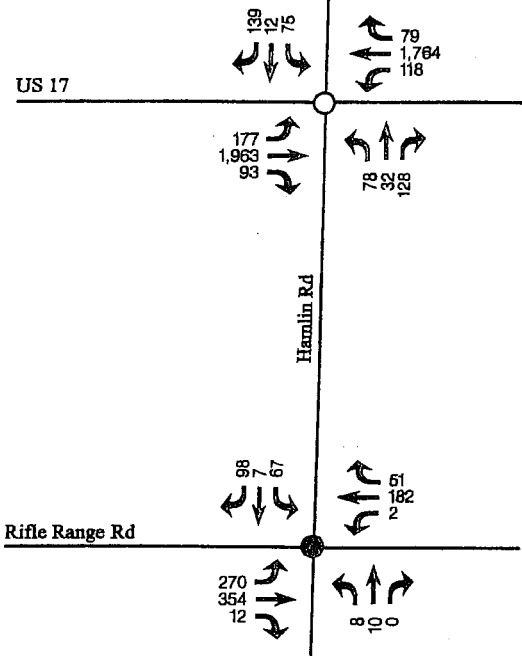
- Figures
- Count Data
- Capacity Analyses
- Auxiliary Lane Calculations

FIGURES

AM PEAK-HOUR



PM PEAK-HOUR



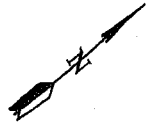
- = Signalized Intersection
- = Unsignalized Intersection

Figure 1

EXISTING TRAFFIC VOLUMES

Hamlin Place Residential : Charleston County, SC





NOT TO SCALE

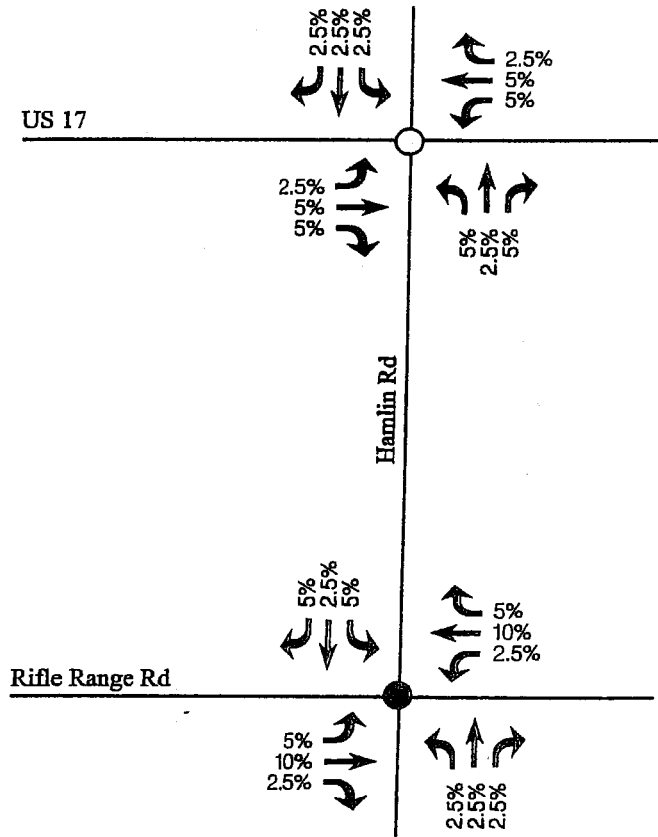


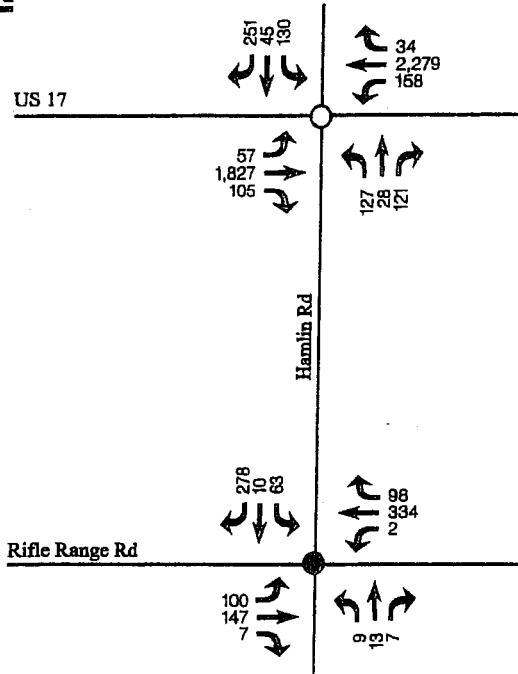
Figure 2

ANNUAL GROWTH RATES

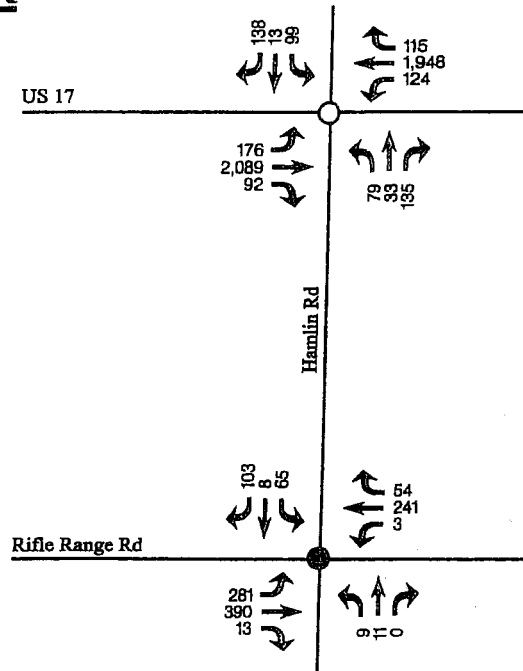
Hamlin Place Residential : Charleston County, SC



AM PEAK-HOUR



PM PEAK-HOUR



- = Signalized Intersection
- = Unsignalized Intersection

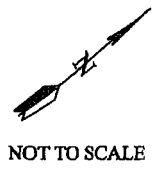
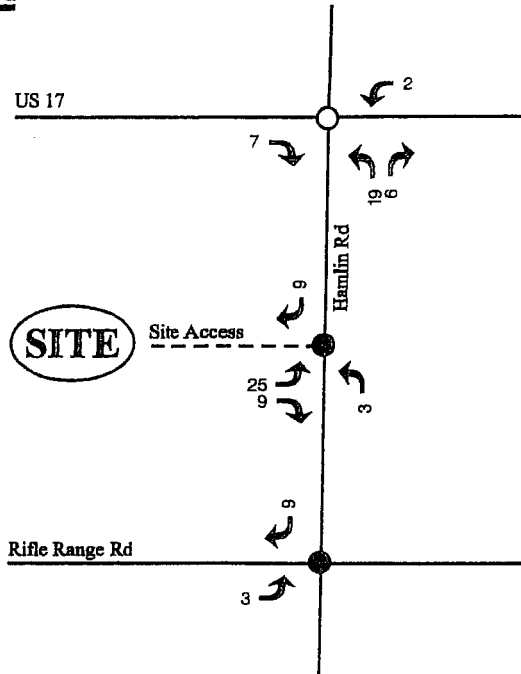
Figure 3

2007 NO-BUILD TRAFFIC VOLUMES

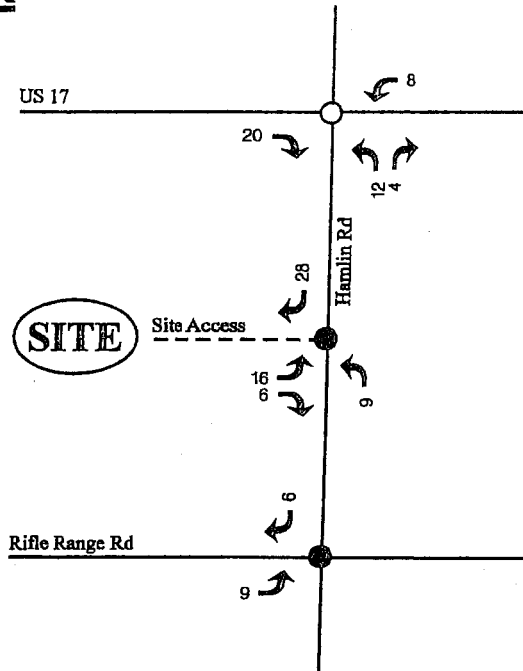
Hamlin Place Residential : Charleston County, SC



AM PEAK-HOUR



PM PEAK-HOUR



- = Signalized Intersection
- = Unsignalized Intersection

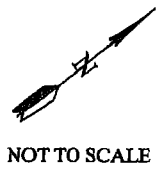
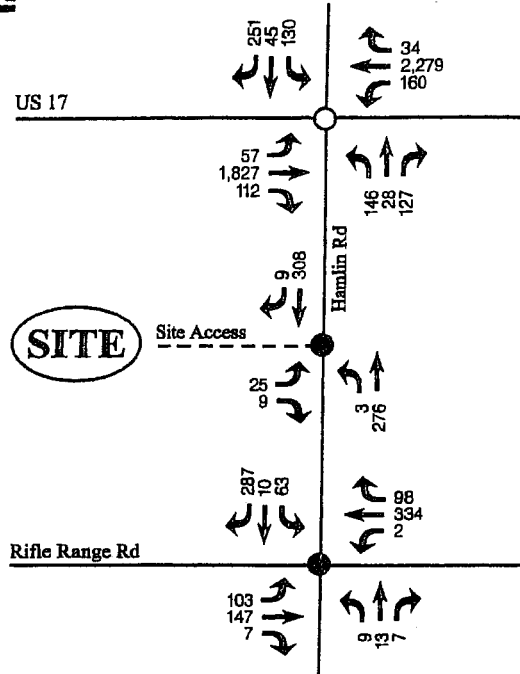
Figure 4

SITE-GENERATED TRAFFIC VOLUMES

Hamlin Place Residential : Charleston County, SC



AM PEAK-HOUR



PM PEAK-HOUR

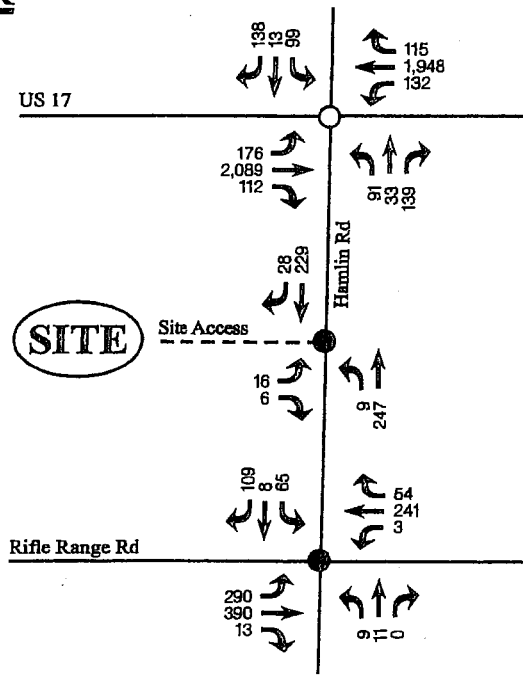


Figure 5

2007 BUILD TRAFFIC VOLUMES

Hamlin Place Residential : Charleston County, SC



COUNT DATA

Palmetto Traffic Data

PO Box 606

Johns Island, SC 29457

Ph. 843.819.5177 - Office 843.557.0222

email: palmetto@synectics.com

File Name : Hwy 17 N @ Brick Yard
 Site Code : 00022006
 Start Date : 2/22/2006
 Page No : 4

Start Time	Brick Yard From North					Highway 17N From East					Hamlin Rd. From South					Highway 17N From West											
	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total	Peds	Left	Thru	Right	App. Total		
	Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																										
Peak Hour for Each Approach Begins at:																											
	04:00 PM					04:00 PM					05:00 PM					05:00 PM					04:45 PM						
+0 mins.	0	23	1	33	57	0	29	447	28	504	0	18	11	42	71	0	46	526	29	601	0	71	0	48	498	28	574
+15 mins.	0	16	4	25	45	0	32	481	27	520	0	18	8	53	79	0	48	498	28	574	0	79	0	48	498	28	574
+30 mins.	0	15	4	40	59	0	37	451	13	501	0	10	7	50	67	0	34	538	22	594	0	67	0	34	538	22	594
+45 mins.	0	21	3	41	65	0	20	405	11	436	0	15	12	68	86	0	48	580	37	649	0	86	0	48	580	37	649
Total Volume	0	75	12	139	226	0	118	1764	79	1961	0	61	38	203	302	0	177	2122	116	2415	0	302	0	177	2122	116	2415
% App. Total	0	33.2	5.3	61.5	869	0	6	90	4	943	0	20.2	12.6	67.2	888	0	7.3	87.9	4.8	935	0	888	0	7.3	87.9	4.8	935
PHF	.000	.815	.750	.848	.869	.000	.797	.957	.705	.943	.000	.847	.792	.875	.888	.000	.903	.947	.784	.935	.000	.888	.000	.903	.947	.784	.935
Unshifted	0	75	12	139	226	0	118	1764	79	1961	0	61	38	203	302	0	177	2122	116	2415	0	302	0	177	2122	116	2415
% Unshifted	0	100	100	100	100	0	100	100	100	100	0	100	100	100	100	0	100	100	100	100	0	100	0	100	100	100	100
Bank 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Bank 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Palmetto Traffic Data
 PO Box 606
 Johns Island, SC 29457
 Ph. 843.819.5177 - Office 843.557.0222
 email: palmettotd@wmconnect.com

File Name : Hwy 17 N @ Brick Yard
 Site Code : 00022206
 Start Date : 2/22/2006
 Page No : 1

Groups Printed: Unshifted - Bank 1

Start Time	Brick Yard From North											Hamlin Rd. From South											Highway 17N From West											Int. Total			
	Peds			Thru			Right			App. Total			Peds			Thru			Right			App. Total			Peds			Thru			Right				App. Total		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	App. Total	Left	Thru	Right	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	Left	Thru	Right	App. Total									
07:00 AM	0	16	5	50	5	50	71	0	15	433	22	470	0	11	2	8	21	0	8	197	25	230	792	0	8	197	25	230	792								
07:15 AM	0	18	20	82	20	82	120	0	37	588	13	638	0	25	2	15	42	0	5	254	50	309	1109	0	5	254	50	309	1109								
07:30 AM	0	20	25	83	25	83	128	0	38	552	2	592	0	37	17	22	76	0	6	313	41	360	1156	0	6	313	41	360	1156								
07:45 AM	0	21	6	66	6	66	93	0	31	531	7	569	0	45	4	31	80	1	11	441	20	473	1215	1	11	441	20	473	1215								
Total	0	75	56	281	56	281	412	0	121	2104	44	2269	0	118	25	76	219	1	30	1206	136	1372	4272	1	30	1206	136	1372	4272								
08:00 AM	0	47	9	46	9	46	102	0	44	529	3	576	0	18	4	47	69	0	18	514	16	548	1295	0	18	514	16	548	1295								
08:15 AM	0	18	3	52	3	52	73	0	37	558	12	607	0	23	2	15	40	0	20	409	23	452	1172	0	20	409	23	452	1172								
08:30 AM	0	11	2	54	2	54	67	0	30	530	13	573	0	24	1	6	31	0	14	272	24	310	981	0	14	272	24	310	981								
08:45 AM	0	17	2	56	2	56	75	0	34	534	7	575	0	47	2	8	57	0	20	289	11	320	1027	0	20	289	11	320	1027								
Total	0	93	16	208	16	208	317	0	145	2151	35	2331	0	112	9	76	197	0	72	1484	74	1630	4475	0	72	1484	74	1630	4475								

*** BREAK ***

11:00 AM	0	6	3	23	3	23	32	0	12	372	5	389	0	13	3	12	28	0	18	274	22	314	763	0	18	274	22	314	763
11:15 AM	0	12	1	23	1	23	36	0	13	345	5	363	0	30	0	7	37	0	22	284	24	330	766	0	22	284	24	330	766
11:30 AM	0	4	3	32	3	32	39	0	5	368	8	381	0	18	0	6	24	0	24	312	17	353	797	0	24	312	17	353	797
11:45 AM	0	11	3	30	3	30	44	0	17	381	11	409	1	19	0	7	27	0	25	325	17	367	847	0	25	325	17	367	847
Total	0	33	10	108	10	108	151	0	47	1466	29	1542	1	60	3	32	116	0	89	1195	80	1364	3173	0	89	1195	80	1364	3173
12:00 PM	0	9	3	26	3	26	38	0	10	389	13	412	0	11	0	9	20	0	19	325	19	363	833	0	19	325	19	363	833
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12:45 PM	0	10	0	30	0	30	40	0	15	367	6	388	0	14	0	10	24	0	23	339	27	369	841	0	23	339	27	369	841
Total	0	46	4	92	4	92	142	0	52	1526	29	1607	0	66	3	39	108	0	95	1356	63	1634	3391	0	95	1356	63	1634	3391

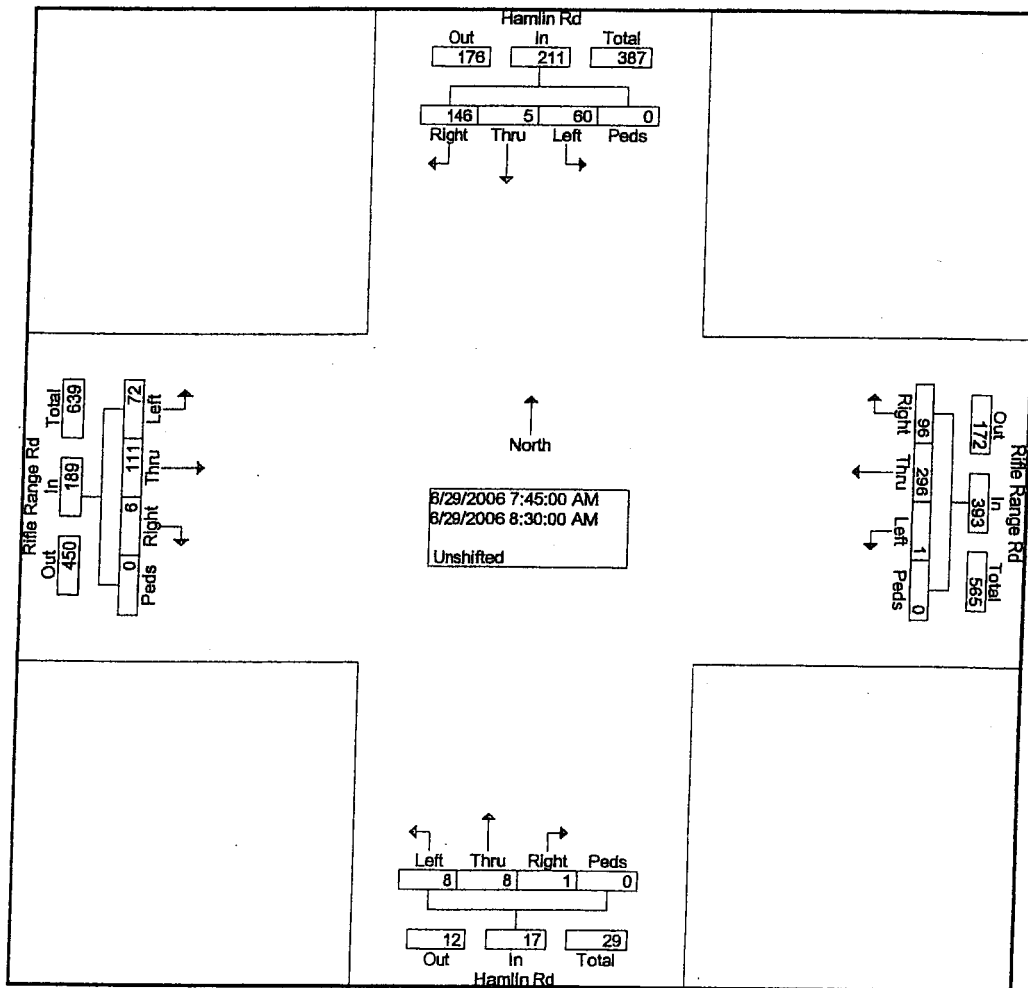
*** BREAK ***

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04:15 PM	0	16	4	25	4	25	45	0	32	461	27	520	0	26	7	27	60	0	53	455	27	535	1160	0	53	455	27	535	1160
04:30 PM	0	15	4	40	4	40	59	0	37	451	13	501	0	11	10	33	54	0	37	517	19	573	1187	0	37	517	19	573	1187
04:45 PM	0	21	3	41	3	41	65	0	20	405	11	436	0	19	8	37	64	0	46	526	29	601	1166	0	46	526	29	601	1166
Total	0	75	12	139	12	139	226	0	118	1764	79	1961	0	78	32	128	238	0	177	1963	93	2233	4658	0	177	1963	93	2233	4658
05:00 PM	0	28	3	26	3	26	57	0	33	393	13	439	0	18	11	42	71	0	48	498	28	574	1141	0	48	498	28	574	1141
05:15 PM	0	20	3	20	3	20	43	0	23	388	15	426	0	18	8	53	79	0	34	538	22	594	1142	0	34	538	22	594	1142
05:30 PM	0	23	3	23	3	23	49	0	10	413	18	441	0	10	7	50	67	0	49	560	37	646	1203	0	49	560	37	646	1203
05:45 PM	0	25	1	31	1	31	67	0	26	375	14	415	0	15	12	58	85	0	40	526	29	595	1152	0	40	526	29	595	1152
Total	0	98	10	100	10	100	206	0	92	1569	60	1721	0	61	38	203	302	0	171	2122	116	2409	4638	0	171	2122	116	2409	4638

SRS Engineering, LLC
 801 Mohawk Drive
 West Columbia, SC 29169
 803-252-1799

File Name : Hamlin at Rifle Range
 Site Code : 00000000
 Start Date : 6/29/2006
 Page No : 2

Start Time	Hamlin Rd Southbound					Rifle Range Rd Westbound					Hamlin Rd Northbound					Rifle Range Rd Eastbound					Int. Total			
	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total				
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																								
Intersection	07:45 AM																							
Volume	146	5	60	0	211	96	296	1	0	393	1	8	8	0	17	6	111	72	0	189	810			
Percent	69.2	2.4	28.4	0.0		24.4	75.3	0.3	0.0		5.9	47.1	47.1	0.0		3.2	58.7	38.1	0.0					
08:15 Volume	31	0	10	0	41	26	82	1	0	109	0	1	3	0	4	2	40	23	0	65	219			
Peak Factor	0.925																							
High Int. Volume	08:00 AM					07:45 AM					07:45 AM					08:15 AM								
Peak Factor	46	1	24	0	71	24	86	0	0	110	1	4	1	0	6	2	40	23	0	65	0.743	0.893	0.708	0.727



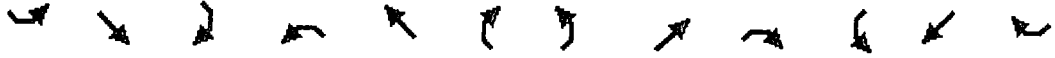
CAPACITY ANALYSES



Movement	SEL	SE	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↕	↗	↖	↗	↖	↖	↕	↗	↖	↕	↖
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor		1.00	1.00	1.00	1.00		1.00	0.95	1.00	1.00	0.95	1.00
Fr't		1.00	0.85	1.00	0.88		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected		0.97	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)		1799	1583	1770	1637		1770	3539	1583	1770	3539	1583
Flt Permitted		0.53	1.00	0.45	1.00		0.07	1.00	1.00	0.07	1.00	1.00
Satd. Flow (perm)		986	1583	838	1637		133	3539	1583	131	3539	1583
Volume (vph)	106	43	247	123	27	115	55	1677	100	150	2170	24
Peak-hour factor, PHF	0.77	0.77	0.77	0.83	0.83	0.83	0.84	0.84	0.84	0.97	0.97	0.97
Adj. Flow (vph)	138	56	321	148	33	139	65	1996	119	155	2237	25
RTOR Reduction (vph)	0	0	68	0	72	0	0	0	46	0	0	9
Lane Group Flow (vph)	0	194	253	148	100	0	65	1996	73	155	2237	16
Turn Type	Perm		Perm	Perm			pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2		7	4		3	8	
Permitted Phases	6		6	2			4		4	8		8
Actuated Green, G (s)		15.0	15.0	15.0	15.0		57.4	54.2	54.2	59.0	55.0	55.0
Effective Green, g (s)		17.0	17.0	17.0	17.0		61.4	56.2	56.2	63.0	57.0	57.0
Actuated g/C Ratio		0.19	0.19	0.19	0.19		0.67	0.62	0.62	0.69	0.62	0.62
Clearance Time (s)		6.0	6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0
Vehicle Extension (s)		3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)		184	295	156	305		183	2181	975	198	2212	989
v/s Ratio Prot				0.11			0.02	0.56		0.05	0.63	
v/s Ratio Perm		0.20	0.20	0.18			0.22		0.08	0.49		0.02
v/c Ratio		1.05	0.86	0.95	0.33		0.36	0.92	0.08	0.78	1.01	0.02
Uniform Delay, d1		37.1	35.9	36.7	32.2		22.4	15.4	7.0	22.7	17.1	6.5
Progression Factor		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2		81.4	21.2	56.2	0.6		1.2	7.5	0.2	18.0	22.0	0.0
Delay (s)		118.5	57.1	92.9	32.8		23.6	22.9	7.2	40.8	39.1	6.5
Level of Service		F	E	F	C		C	C	A	D	D	A
Approach Delay (s)		80.3			60.6			22.0			38.8	
Approach LOS		F			E			C			D	

Intersection Summary

HCM Average Control Delay	37.3	HCM Level of Service	D
HCM Volume to Capacity ratio	0.97		
Actuated Cycle Length (s)	91.2	Sum of lost time (s)	8.0
Intersection Capacity Utilization	93.8%	ICU-Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SE	SW	SE	NWL	NWT	NWR	NEL	NEI	NER	SWL	SWI	SWR
Lane Configurations			↕			↕			↕			↕
Sign Control			Stop			Stop			Free			Free
Grade			0%			0%			0%			0%
Volume (veh/h)	60	9	264	8	12	1	95	111	6	1	296	96
Peak Hour Factor	0.74	0.74	0.74	0.71	0.71	0.71	0.73	0.73	0.73	0.89	0.89	0.89
Hourly flow rate (vph)	81	12	357	11	17	1	130	152	8	1	333	108
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type			None			None						
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	815	809	387	1168	859	156	440			160		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	815	809	387	1168	859	156	440			160		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	68	96	46	84	93	100	88			100		
cM capacity (veh/h)	256	277	661	69	260	889	1119			1419		

Direction Lane #	SE 1	NW 1	NE 1	SW 1
Volume Total	450	30	290	442
Volume Left	81	11	130	1
Volume Right	357	1	8	108
cSH	500	129	1119	1419
Volume to Capacity	0.90	0.23	0.12	0.00
Queue Length (ft)	256	21	10	0
Control Delay (s)	48.2	41.1	4.5	0.0
Lane LOS	E	E	A	A
Approach Delay (s)	48.2	41.1	4.5	0.0
Approach LOS	E	E		

Intersection Summary			
Average Delay		20.0	
Intersection Capacity Utilization		64.9%	ICU Level of Service
Analysis Period (min)		15	C



Lane Group	SEL	SET	SER	NWL	NWT	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↖	↗	↖	↗	↖	↗	↗	↖	↗	↖
Volume (vph)	75	12	139	78	32	177	1963	93	118	1764	79
Lane Group Flow (vph)	0	100	160	84	172	190	2111	100	126	1877	84
Turn Type	Perm		Perm	Perm		pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2	7	4		3	8	
Permitted Phases	6		6	2		4		4	8		8
Detector Phases	6	6	6	2	2	7	4	4	3	8	8
Minimum Initial (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Minimum Split (s)	20.0	20.0	20.0	20.0	20.0	10.0	22.0	22.0	10.0	22.0	22.0
Total Split (s)	20.0	20.0	20.0	20.0	20.0	13.0	60.0	60.0	10.0	57.0	57.0
Total Split (%)	22.2%	22.2%	22.2%	22.2%	22.2%	14.4%	66.7%	66.7%	11.1%	63.3%	63.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lead/Lag						Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?											
Recall Mode	Min	Min	Min	Min	Min	None	Max	Max	None	Max	Max
v/c Ratio		0.68	0.48	0.41	0.51	0.72	0.94	0.10	0.62	0.88	0.09
Control Delay		52.7	19.7	38.4	21.5	33.7	25.4	1.7	26.9	21.9	2.2
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		52.7	19.7	38.4	21.5	33.7	25.4	1.7	26.9	21.9	2.2
Queue Length 50th (ft)		53	34	43	41	53	535	0	18	453	0
Queue Length 95th (ft)		#115	87	87	102	#154	#773	17	#91	#590	18
Internal Link Dist (ft)		975			3427		5200			2560	
Turn Bay Length (ft)			200	350		310		310	325		320
Base Capacity (vph)		162	357	224	365	264	2247	1042	204	2128	986
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio		0.62	0.45	0.38	0.47	0.72	0.94	0.10	0.62	0.88	0.09

Intersection Summary

Cycle Length: 90
 Actuated Cycle Length: 88.3
 Natural Cycle: 90
 Control Type: Actuated-Uncoordinated
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 1: Hamlin Rd & US 17

↖ σ2 20 s	↙ σ3 10 s	↗ σ4 60 s
↘ σ6 20 s	↖ σ7 13 s	↗ σ8 157 s



Movement	SEL	SEI	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↖	↗	↖	↗		↖	↗	↗	↖	↗	↖
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor		1.00	1.00	1.00	1.00		1.00	0.95	1.00	1.00	0.95	1.00
Frt		1.00	0.85	1.00	0.88		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected		0.96	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)		1796	1583	1770	1636		1770	3539	1583	1770	3539	1583
Flt Permitted		0.53	1.00	0.41	1.00		0.07	1.00	1.00	0.07	1.00	1.00
Satd. Flow (perm)		983	1583	761	1636		137	3539	1583	135	3539	1583
Volume (vph)	130	45	251	127	28	121	57	1827	105	158	2279	34
Peak-hour factor, PHF	0.77	0.77	0.77	0.83	0.83	0.83	0.84	0.84	0.84	0.97	0.97	0.97
Adj. Flow (vph)	169	58	326	153	34	146	68	2175	125	163	2349	35
RTOR Reduction (vph)	0	0	66	0	67	0	0	0	51	0	0	14
Lane Group Flow (vph)	0	227	260	153	113	0	68	2175	74	163	2349	21
Turn Type	Perm		Perm	Perm			pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2		7	4		3	8	
Permitted Phases	6		6	2			4		4	8		8
Actuated Green, G (s)		17.0	17.0	17.0	17.0		55.4	52.2	52.2	57.0	53.0	53.0
Effective Green, g (s)		19.0	19.0	19.0	19.0		59.4	54.2	54.2	61.0	55.0	55.0
Actuated g/C Ratio		0.21	0.21	0.21	0.21		0.65	0.59	0.59	0.67	0.60	0.60
Clearance Time (s)		6.0	6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0
Vehicle Extension (s)		3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)		205	330	159	341		182	2103	941	198	2134	955
v/s Ratio Prot					0.11		0.02	0.61		c0.05	c0.66	
v/s Ratio Perm		c0.23	0.21	0.20			0.22		0.08	0.50		0.02
v/c Ratio		1.11	0.79	0.96	0.33		0.37	1.03	0.08	0.82	1.10	0.02
Uniform Delay, d1		36.1	34.2	35.7	30.7		21.9	18.5	7.9	43.8	18.1	7.3
Progression Factor		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2		94.6	11.8	59.8	0.6		1.3	29.1	0.2	23.3	53.2	0.0
Delay (s)		130.7	46.0	95.5	31.3		23.2	47.6	8.0	67.1	71.3	7.3
Level of Service		F	D	F	C		C	D	A	E	E	A
Approach Delay (s)		80.8			60.8			44.8			70.1	
Approach LOS		F			E			D			E	

Intersection Summary

HCM Average Control Delay	60.3	HCM Level of Service	E
HCM Volume to Capacity ratio	1.04		
Actuated Cycle Length (s)	91.2	Sum of lost time (s)	8.0
Intersection Capacity Utilization	98.2%	ICU Level of Service	F
Analysis Period (min)	15		

c Critical Lane Group



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↕			↕			↕			↕	
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	63	10	278	9	13	7	100	147	7	2	334	98
Peak Hour Factor	0.74	0.74	0.74	0.71	0.71	0.71	0.73	0.73	0.73	0.89	0.89	0.89
Hourly flow rate (vph)	85	14	376	13	18	10	137	201	10	2	375	110
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	934	920	430	1297	970	206	485			211		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	934	920	430	1297	970	206	485			211		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	59	94	40	73	92	99	87			100		
cM capacity (veh/h)	206	236	625	48	221	834	1077			1360		

Direction Lane #	SE 1	NW 1	NE 1	SW 1
Volume Total	474	41	348	488
Volume Left	85	13	137	2
Volume Right	376	10	10	110
cSH	442	113	1077	1360
Volume to Capacity	1.07	0.36	0.13	0.00
Queue Length (ft)	387	36	11	0
Control Delay (s)	94.3	53.7	4.3	0.1
Lane LOS	F	F	A	A
Approach Delay (s)	94.3	53.7	4.3	0.1
Approach LOS	F	F		

Intersection Summary			
Average Delay		35.8	
Intersection Capacity Utilization		71.6%	ICU Level of Service C
Analysis Period (min)		15	



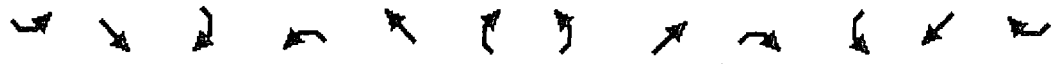
Lane Group	SE	SET	SER	NWL	NWT	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↑	↑	↑	↑	↑	↑↑	↑	↑	↑↑	↑
Volume (vph)	99	13	138	79	33	176	2089	92	124	1948	115
Lane Group Flow (vph)	0	129	159	85	180	189	2246	99	132	2072	122
Turn Type	Perm		Perm	Perm		pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2	7	4		3	8	
Permitted Phases	6		6	2		4		4	8		8
Detector Phases	6	6	6	2	2	7	4	4	3	8	8
Minimum Initial (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Minimum Split (s)	20.0	20.0	20.0	20.0	20.0	10.0	22.0	22.0	10.0	22.0	22.0
Total Split (s)	20.0	20.0	20.0	20.0	20.0	13.0	60.0	60.0	10.0	57.0	57.0
Total Split (%)	22.2%	22.2%	22.2%	22.2%	22.2%	14.4%	66.7%	66.7%	11.1%	63.3%	63.3%
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Lead/Lag						Lead	Lag	Lag	Lead	Lag	Lag
Lead-Lag Optimize?											
Recall Mode	Min	Min	Min	Min	Min	None	Max	Max	None	Max	Max
v/c Ratio		0.85	0.46	0.44	0.51	0.73	1.01	0.10	0.66	0.99	0.12
Control Delay		78.2	20.4	40.6	23.0	34.4	41.2	1.7	30.3	36.6	1.9
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay		78.2	20.4	40.6	23.0	34.4	41.2	1.7	30.3	36.6	1.9
Queue Length 50th (ft)		72	36	43	47	53	-665	0	21	566	0
Queue Length 95th (ft)		#165	88	90	111	#152	#857	17	#101	#785	21
Internal Link Dist (ft)		975			3427		5200			2560	
Turn Bay Length (ft)			200	350		310		310	325		320
Base Capacity (vph)		154	353	199	362	260	2213	1026	201	2094	986
Starvation Cap Reductn		0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn		0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn		0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio		0.84	0.45	0.43	0.50	0.73	1.01	0.10	0.66	0.99	0.12

Intersection Summary:

Cycle Length: 90
 Actuated Cycle Length: 89.6
 Natural Cycle: 90
 Control Type: Actuated-Uncoordinated
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 1: Hamlin Rd & US 17

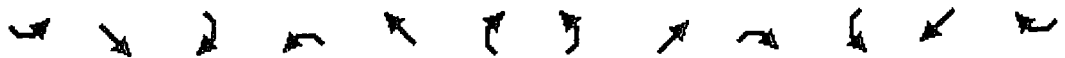
↖ σ2	↙ σ3	↗ σ4
20 s	10 s	60 s
↘ σ6	↕ σ7	↖ σ8
20 s	13 s	57 s



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↕	↗	↖	↗	↖	↖	↗	↖	↖	↗	↖
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor		1.00	1.00	1.00	1.00		1.00	0.95	1.00	1.00	0.95	1.00
Frt		1.00	0.85	1.00	0.88		1.00	1.00	0.85	1.00	1.00	0.85
Flt Protected		0.96	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)		1796	1583	1770	1634		1770	3539	1583	1770	3539	1583
Flt Permitted		0.51	1.00	0.41	1.00		0.07	1.00	1.00	0.07	1.00	1.00
Satd. Flow (perm)		954	1583	761	1634		137	3539	1583	135	3539	1583
Volume (vph)	130	45	251	146	28	127	57	1827	112	160	2279	34
Peak-hour factor, PHF	0.77	0.77	0.77	0.83	0.83	0.83	0.84	0.84	0.84	0.97	0.97	0.97
Adj. Flow (vph)	169	58	326	176	34	153	68	2175	133	165	2349	35
RTOR Reduction (vph)	0	0	66	0	67	0	0	0	54	0	0	14
Lane Group Flow (vph)	0	227	260	176	120	0	68	2175	79	165	2349	21
Turn Type	Perm		Perm	Perm			pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2		7	4		3	8	
Permitted Phases	6		6	2			4		4	8		8
Actuated Green, G (s)		17.0	17.0	17.0	17.0		55.4	52.2	52.2	57.0	53.0	53.0
Effective Green, g (s)		19.0	19.0	19.0	19.0		59.4	54.2	54.2	61.0	55.0	55.0
Actuated g/C Ratio		0.21	0.21	0.21	0.21		0.65	0.59	0.59	0.67	0.60	0.60
Clearance Time (s)		6.0	6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0
Vehicle Extension (s)		3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)		199	330	159	340		182	2103	941	198	2134	955
v/s Ratio Prot					0.11		0.02	0.61		c0.05	c0.66	
v/s Ratio Perm		c0.24	0.21	0.23			0.22		0.08	0.50		0.02
v/c Ratio		1.14	0.79	1.11	0.35		0.37	1.03	0.08	0.83	1.10	0.02
Uniform Delay, d1		36.1	34.2	36.1	30.8		21.9	18.5	7.9	43.9	18.1	7.3
Progression Factor		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2		106.8	11.8	102.9	0.6		1.3	29.1	0.2	24.9	53.2	0.0
Delay (s)		142.9	46.0	139.0	31.5		23.2	47.6	8.1	68.7	71.3	7.3
Level of Service		F	D	F	C		C	D	A	E	E	A
Approach Delay (s)		85.8			83.6			44.7			70.2	
Approach LOS		F			F			D			E	

Intersection Summary

HCM Average Control Delay	62.2	HCM Level of Service	E
HCM Volume to Capacity ratio	1.05		
Actuated Cycle Length (s)	91.2	Sum of lost time (s)	8.0
Intersection Capacity Utilization	98.5%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SEL	SET	SER	NWL	NWT	INWR	NEL	NEI	NER	SWL	SWI	SWR
Lane Configurations	↕			↕			↕			↕		
Sign Control	Stop			Stop			Free			Free		
Grade	0%			0%			0%			0%		
Volume (veh/h)	63	10	287	9	13	7	103	147	7	2	334	98
Peak Hour Factor	0.74	0.74	0.74	0.71	0.71	0.71	0.73	0.73	0.73	0.89	0.89	0.89
Hourly flow rate (vph)	85	14	388	13	18	10	141	201	10	2	375	110
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type	None			None								
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	942	928	430	1318	978	206	485			211		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	942	928	430	1318	978	206	485			211		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	58	94	38	71	92	99	87			100		
cM capacity (veh/h)	202	232	625	44	217	834	1077			1360		

Direction, Lane #	SE 1	NW 1	NE 1	SW 1
Volume Total	486	41	352	488
Volume Left	85	13	141	2
Volume Right	388	10	10	110
cSH	442	106	1077	1360
Volume to Capacity	1.10	0.39	0.13	0.00
Queue Length (ft)	414	39	11	0
Control Delay (s)	103.0	58.9	4.3	0.1
Lane LOS	F	F	A	A
Approach Delay (s)	103.0	58.9	4.3	0.1
Approach LOS	F	F		

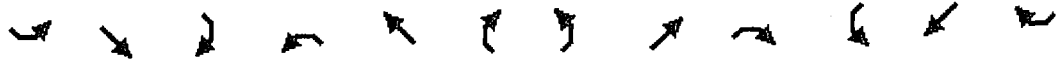
Intersection Summary			
Average Delay	39.6		
Intersection Capacity Utilization	72.3%	ICU Level of Service	C
Analysis Period (min)	15		



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↕	↗	↖	↘		↖	↕↕	↗	↖	↕↕	↗
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0	4.0	4.0	4.0		4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor		1.00	1.00	1.00	1.00		1.00	0.95	1.00	1.00	0.95	1.00
Fr _t		1.00	0.85	1.00	0.88		1.00	1.00	0.85	1.00	1.00	0.85
Fl _t Protected		0.96	1.00	0.95	1.00		0.95	1.00	1.00	0.95	1.00	1.00
Satd. Flow (prot)		1784	1583	1770	1636		1770	3539	1583	1770	3539	1583
Fl _t Permitted		0.45	1.00	0.60	1.00		0.07	1.00	1.00	0.08	1.00	1.00
Satd. Flow (perm)		840	1583	1119	1636		133	3539	1583	141	3539	1583
Volume (vph)	99	13	138	91	33	139	176	2089	112	132	1948	115
Peak-hour factor, PHF	0.87	0.87	0.87	0.93	0.93	0.93	0.93	0.93	0.93	0.94	0.94	0.94
Adj. Flow (vph)	114	15	159	98	35	149	189	2246	120	140	2072	122
RTOR Reduction (vph)	0	0	72	0	71	0	0	0	45	0	0	50
Lane Group Flow (vph)	0	129	87	98	113	0	189	2246	75	140	2072	72
Turn Type	Perm		Perm	Perm			pm+pt		Perm	pm+pt		Perm
Protected Phases		6			2		7	4		3	8	
Permitted Phases	6		6	2			4		4	8		8
Actuated Green, G (s)		13.7	13.7	13.7	13.7		61.0	54.0	54.0	55.0	51.0	51.0
Effective Green, g (s)		15.7	15.7	15.7	15.7		65.0	56.0	56.0	59.0	53.0	53.0
Actuated g/C Ratio		0.18	0.18	0.18	0.18		0.72	0.62	0.62	0.66	0.59	0.59
Clearance Time (s)		6.0	6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0	6.0
Vehicle Extension (s)		3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Lane Grp Cap (vph)		147	277	196	286		261	2209	988	202	2091	935
v/s Ratio Prot					0.11		0.07	0.63		0.05	0.59	
v/s Ratio Perm		0.15	0.10	0.09			0.45		0.08	0.41		0.08
v/c Ratio		0.88	0.31	0.50	0.40		0.72	1.02	0.08	0.69	0.99	0.08
Uniform Delay, d1		36.1	32.3	33.5	32.8		26.5	16.8	6.6	42.4	18.1	7.9
Progression Factor		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2		40.2	0.7	2.0	0.9		9.5	23.4	0.1	9.8	17.7	0.2
Delay (s)		76.3	33.0	35.5	33.7		36.0	40.3	6.8	52.2	35.8	8.0
Level of Service		E	C	D	C		D	D	A	D	D	A
Approach Delay (s)		52.4			34.3			38.4			35.3	
Approach LOS		D			C			D			D	

Intersection Summary

HCM Average Control Delay	37.6	HCM Level of Service	D
HCM Volume to Capacity ratio	0.99		
Actuated Cycle Length (s)	89.7	Sum of lost time (s)	12.0
Intersection Capacity Utilization	94.9%	ICU Level of Service	F
Analysis Period (min)	15		
c Critical Lane Group			

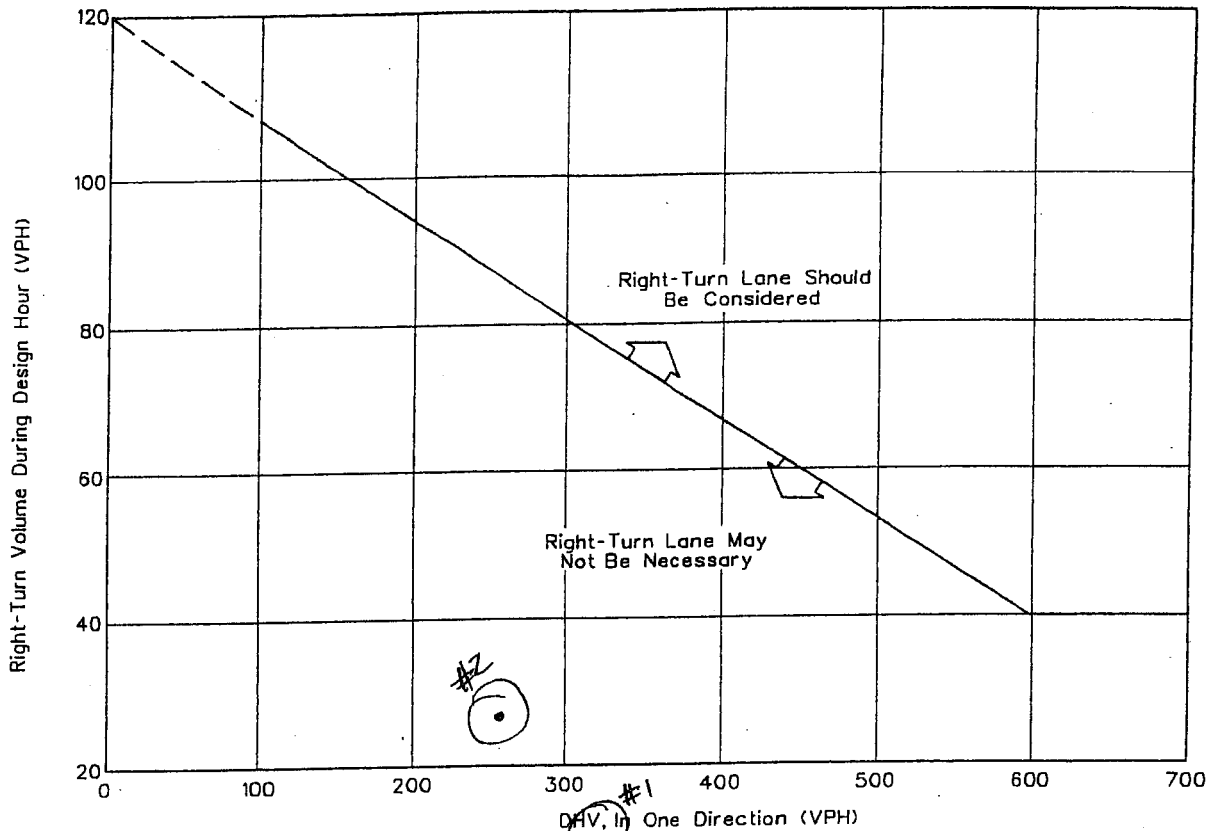


Movement	SE	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations		↕			↕			↕			↕	
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	65	8	109	9	11	0	290	390	13	3	241	54
Peak Hour Factor	0.88	0.88	0.88	0.56	0.56	0.56	0.95	0.95	0.95	0.90	0.90	0.90
Hourly flow rate (vph)	74	9	124	16	20	0	305	411	14	3	268	60
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked											424	
vC, conflicting volume	1342	1339	298	1461	1362	417	328					
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1342	1339	298	1461	1362	417	328				424	
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1				4.1	
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2				2.2	
p0 queue free %	19	92	83	76	82	100	75				100	
cM capacity (veh/h)	91	115	742	68	111	635	1232				1135	

Direction, Lane #	SE 1	NW 1	NE 1	SW 1
Volume Total	207	36	729	331
Volume Left	74	16	305	3
Volume Right	124	0	14	60
cSH	195	86	1232	1135
Volume to Capacity	1.06	0.41	0.25	0.00
Queue Length (ft)	239	42	25	0
Control Delay (s)	132.1	73.6	5.4	0.1
Lane LOS	F	F	A	A
Approach Delay (s)	132.1	73.6	5.4	0.1
Approach LOS	F	F		

Intersection Summary			
Average Delay		26.0	
Intersection Capacity Utilization		76.2%	ICU Level of Service
Analysis Period (min)		15	D

AUXILIARY LANE CALCULATIONS



Note: For highways with a design speed below 50 miles per hour with a DHV < 300 and where right turns > 40, an adjustment should be used. To read the vertical axis of the chart, subtract 20 from the actual number of right turns.

Example

Given: Design Speed = 35 miles per hour (mph)
 DHV = 250 vehicles per hour (vph)
 Right Turns = 100 vehicles per hour (vph)

	DHV	RT VOL	RTQ ^{1d}
#1 AM	317	9	NO
#2 PM	257	28	NO

Problem: Determine if a right-turn lane is necessary.

* NOTE: NO ADJ. MADE FOR 35 mph SPEED LIMIT. FINDINGS ARE CONSERVATIVE.

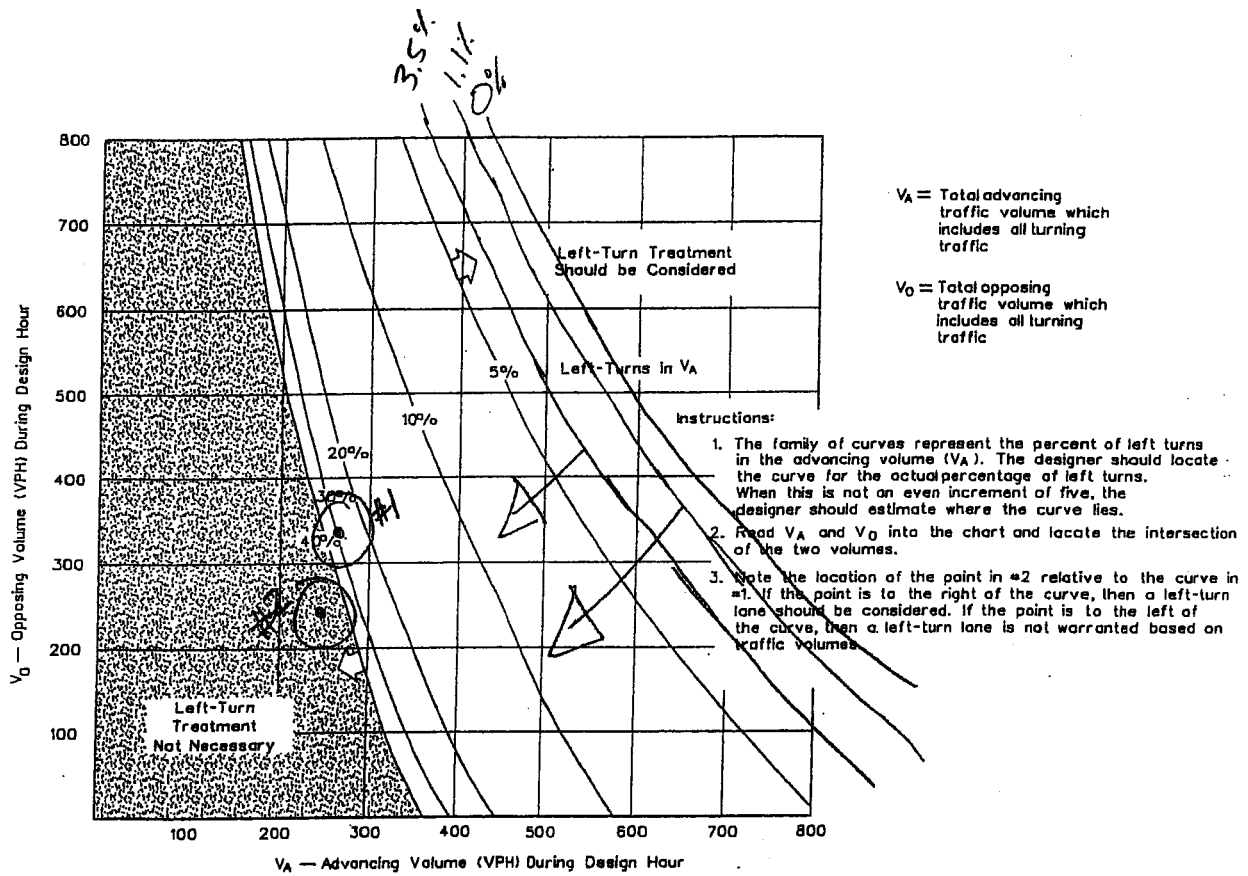
Solution: To read the vertical axis, use $100 - 20 = 80$ vehicles per hour. The figure indicates that a right-turn lane is not necessary, unless other factors (e.g., high crash rate) indicate a lane is needed.

GUIDELINES FOR RIGHT-TURN LANES AT UNSIGNALIZED INTERSECTIONS ON TWO-LANE HIGHWAYS

Figure 15.5A

HAMLIN ROAD @ SITE ACCESS

HAMLIN ROAD @ SITE ACCESS



VOLUME GUIDELINES FOR LEFT-TURN LANES AT UNSIGNALIZED INTERSECTIONS ON TWO-LANE HIGHWAYS (40 MPH)

Figure 15.5G

		V_A	LT. VOL	%	V_O	PQ^d
#1	AM	279	3	1.1%	317	(NO)
#2	PM	256	9	3.5%	257	(No)

PLANNED DEVELOPMENT DISTRICT

Linnen Place

Christ Church Parish
Charleston County, South Carolina

Cultural Resources

Cultural Resources Assessment of the Hamlin Road Tract Charleston County, South Carolina

Ed Salo and Ralph Bailey, Jr.
Brockington and Associates, Inc.
July 2006

Introduction

In July 2006, Brockington and Associates, Inc., conducted a cultural resources assessment of the 22-acre Hamlin Road Tract located in Mt. Pleasant, South Carolina (Figure 1). This assessment provides partial compliance with federal and state regulations concerning the management of cultural resources in the Coastal Zone of South Carolina as administered by the Regulatory Program of the U.S. Army Corps of Engineers (USACE) and the South Carolina Office of Ocean and Coastal Resource Management (OCRM). Both agencies consider the effects of permitted activities on sites, buildings, structures, objects, districts, or landscapes that are eligible for or listed on the National Register of Historic Places (NRHP). Because of the extensive number of historic properties that have been identified within the project area, these agencies will likely require an intensive survey of the tract prior to permitting.

Background research and field inspection generated the information employed to assess the cultural resources potential of the Hamlin Road Tract. We reviewed the records pertaining to previous cultural resources studies in the immediate project area at the South Carolina Institute of Archaeology and Anthropology (SCIAA) and South Carolina Department of Archives and History (SCDAH). Historic plats and maps of the tract and region were reviewed. Soil types and conditions within the project tract were compared with similar conditions in nearby tracts as well.

There have not been any previous cultural resources studies conducted on the tract; therefore, there are no recorded cultural resources within the tract. The 1959 USGS *Ft. Moultrie* topographic map indicates four houses on the tract that could be at least 50 years old. Only one of these houses is still standing; this house is not eligible for the NRHP. The remaining three houses have been razed or moved. These former house locations may now be archaeological sites; however, these possible resources are not likely to be eligible for the NRHP. We do not anticipate there being any cultural resources on the tract that will seriously restrict future use of the tract and that cannot be managed through standard, commonly practiced methods.

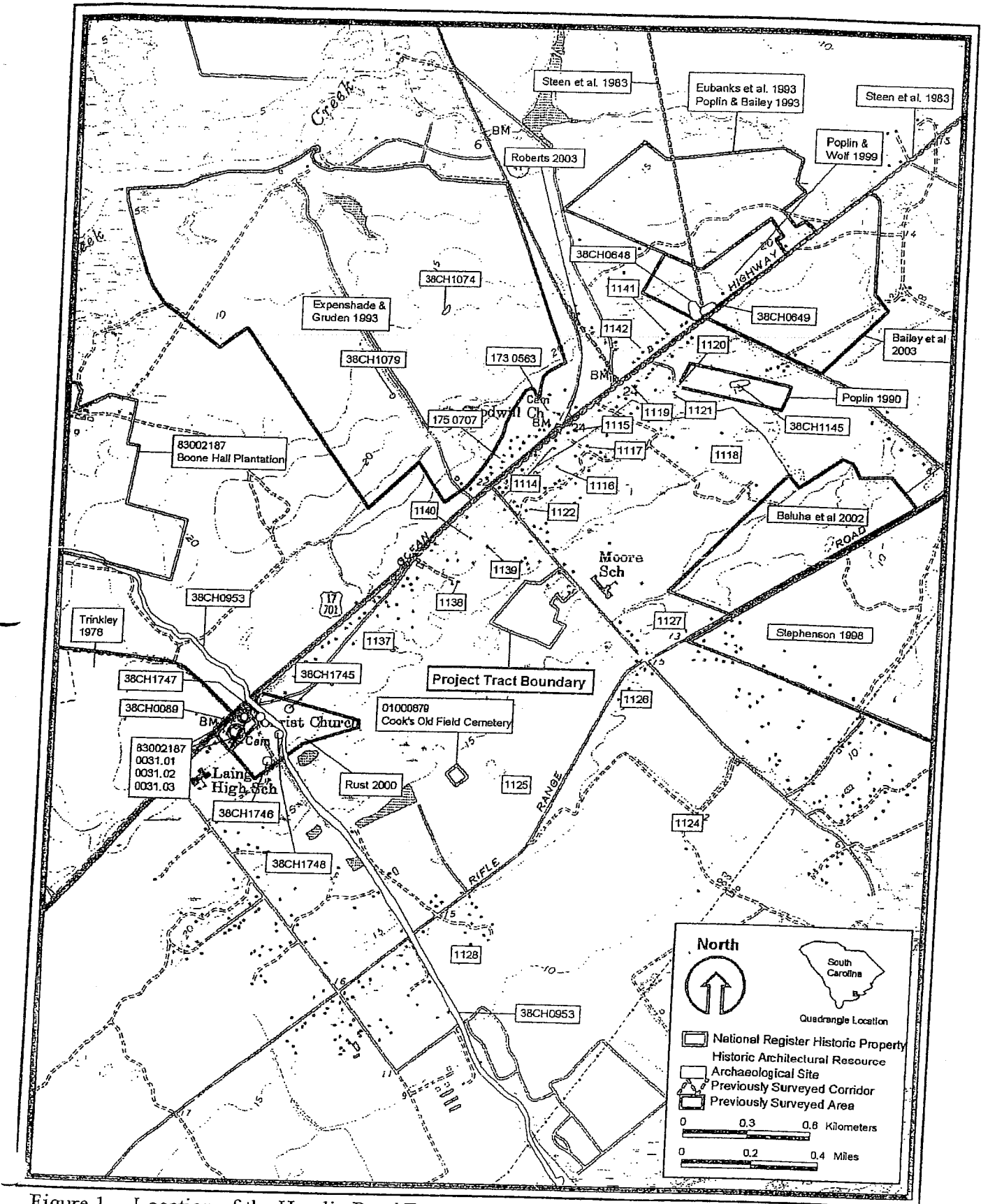


Figure 1. Location of the Hamlin Road Tract and nearby previously recorded cultural resources (USGS Ft. Moultrie topographic map).

Previous Investigations

The state archaeological site files at the SCIAA and the NRHP listings at the SCDAH were inspected for archaeological sites and previous investigations on or near the project tract. No studies have been conducted, and no sites or NRHP listings are recorded, within the project tract. However, several resources are listed in the vicinity of the Hamlin Road Tract. Projects conducted within one mile of the project tract are described below (see Figure 1).

Trinkley (1978) conducted an Archaeological Survey of the Proposed Mark Clark East Corridor. He identified no sites within one mile of the project tract.

Archaeologists with Carolina Archaeological Services, Inc., surveyed a proposed transmission line and substation for the South Carolina Electric and Gas Company (Steen et al. 1983). They identified three archaeological sites (38CH648-38CH650) within one mile of the project tract. All three of these sites are diffuse twentieth century scatters and are not eligible for the NRHP.

In 1987, Brockington et al. (1987) surveyed the 990-acre Charleston National Golf Course Tract located south and east of the project tract. They identified 27 archaeological sites; none of these sites is within one mile of the project tract.

Archaeologists with Brockington and Associates, Inc., conducted an intensive survey of the 498-acre Brickyard Plantation Tract located northwest of the project tract in April 1989 (Espenshade and Grunden 1989). These investigations identified six archaeological sites, including 38CH1074 and 38CH1079 which are within one mile of the project tract. Both sites are not eligible for the NRHP.

Archaeologists with Brockington and Associates, Inc., surveyed a proposed borrow pit on an 8.6-acre tract at the end of Sam Edwards Road, west of the project tract (Poplin 1990). They identified one site (38CH1145) within one mile of the project tract. Site 38CH1145 is a scatter of nineteenth and twentieth century artifacts and is not eligible for the NRHP.

In August 1993, archaeologists with Brockington and Associates, Inc., conducted archaeological reconnaissance and intensive survey of the 83-acre Hibri Tract located north of the project tract (Eubanks et. al. 1993; Poplin and Bailey 1993). They identified two sites (38CH1493 and 38CH1494); neither is located within one mile of the project tract.

In November 1998, archaeologists with Brockington and Associates, Inc., conducted an intensive cultural resources survey of a 6.76-mile proposed natural gas pipeline for the South Carolina Electric and Gas Company (Poplin and Wolf 1999). No cultural resources were identified.

Rust (2000) recorded four sites (38CH1745-38CH1748) and relocated one NRHP-eligible resource (38CH953) adjacent to the NRHP-listed Christ Church and cemetery (38CH89), located southwest of the project tract. Rust (2000) recommended sites 38CH1745-38CH1748 not eligible for the NRHP. Site 38CH953 is an NRHP-eligible Civil War earthworks and battery that stretches north of Gray Bay to the Wando River. Site 38CH953 represents Charleston's northernmost line of defense during the Civil War. The site was also identified in *A Survey of Civil War Fortifications in Charleston, Beaufort, Berkeley, Hampton, and Jasper Counties, South Carolina* (Trinkley and Fick 2000). The same year, the SHPO determined that the Christ Church Vestry house is eligible for the NRHP.

Brockington and Associates, Inc., conducted a cultural resources survey of the 88-acre Hamlin Park on Rifle Range Road in the Town of Mt. Pleasant, Charleston County, South Carolina. (Baluha et al. 2002). Hamlin Park is located west of the intersection of Rifle Range Road and Porcher Bluff Road. Most of the tract has been selectively logged. Ditches drain wetlands which cover most of the western portion of the tract. No known historic properties lie in or near the project tract.

The South Carolina Department of Transportation conducted an intensive archaeological survey of the US Highway 17/SC Route 41 Intersection (Roberts 2003). They identified no sites.

There are 28 previously surveyed historic architectural resources within one mile of the project tract. These resources are summarized in Table 1 below. The *Mt. Pleasant Vicinity Survey* (Schneider and Fick 1988) identified 26 historic architectural resources located within one mile of the project tract. This includes three eligible resources (31.02, 31.03, and 1139) and three potentially eligible resources (1114, 1117, 1125). Resources 31.01 and 31.03 are associated with the Christ Church National Register property. The *Charleston County Historical and Architectural Survey* (Fick 1992) identified two historic architectural resources (175 0707 and 175 0563). Neither was determined to be eligible for the NRHP.

Table 1. Architectural Resources Within One Mile of the Project Tract.

Site #	Resource Name	Eligibility	Date	Report Title
31.02	Christ Church Vestry House	Eligible	1751	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
31.03	Christ Church Cemetery	Eligible	1710	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1139	L. W. Gordon House	Eligible	c.1875	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
31.01	Christ Church Agricultural Soc. Hall	Not Eligible	c.1898	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1115	Cleveland German House	Not Eligible	1937	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1116	Daniel German House	Not Eligible	1938	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1118	Isaac Cohen House	Not Eligible	c.1873	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1119	Emerson Langley House	Not Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1120	Scabrook House	Not Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1121	John Gillard House	Not Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1122	Mazyck House	Not Eligible	c.1925	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1123	Manigault House	Not Eligible	c.1915	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1124	Hamlin Farm Worker's Cottage	Not Eligible	c.1925	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1126	William Hamlin Cemetery	Not Eligible	1832	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1127	Venus Jackson House	Not Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1128	Isaac Manigault House	Not Eligible	c.1921	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1129	Isaac Wright House	Not Eligible	c.1925	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1130	Wright House	Not Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1137	Pringle House	Not Eligible	c.1925	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1138	O. D. Hamlin House	Not Eligible	1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1140	Springer House	Not Eligible	c.1930	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1141	Sarah Wilson House	Not Eligible	c.1915	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1142	Thomas Brown House	Not Eligible	c.1875	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
175 0563	Goodwill AME Church Cemetery	Not Eligible	1836	Charleston County Historical and Architectural Survey (S. Fick 1991-2)
175 0707	McConnell Store	Not Eligible	1930	Charleston Co. Historical and Architectural Survey (S. Fick 1991-2)
1114	Isaac German Praise House	Potentially Eligible	c.1900	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1117	German House	Potentially Eligible	c.1935	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)
1125	Cook's Field (Hamlin Cemetery)	Potentially Eligible	c.1805	Mt. Pleasant Vicinity Survey (Preservation Consultants 1988)

In summary, there are three NRHP-listed resources within one mile of the project tract; they include the slave street, smokehouse, and allee of Boone Hall Plantation (NRIS #83002187); Christ Church (Episcopal) and churchyard (NRIS #83002187); and Cook's Old Field Cemetery (NRIS #1000679). These resources are well away from the project tract and are protected from visual or audible adverse effects by woods and/or existing structures. There are also three potentially eligible resources (1114, 1117, 1125) within one mile of the tract. While these resources would need to be definitively assessed, it is unlikely that they would be affected by development of the project.

A Brief Description of the Project Tract

The Hamlin Road Tract was part of a large tract of land historically associated with the Boone Hall Plantation and later subdivided by the Horlbeck family as part of the Hamlin's Sea Shore development in the 1870s. Boone Hall began when Major John Boone received a 430-acre grant in 1697. He and his heirs developed the plantation into a 17,000-acre complex. In 1817, John and Henry Horlbeck purchased Boone Hall Plantation from the Boone family (Miles 1993:9; Wells 1982). The 1825 Mills Atlas map of Charleston District shows no development in the project tract.

Boone Hall Plantation was historically an agricultural endeavor, but Christ Church Parish accounted for only 1.7 percent of cotton production in Charleston District by 1860, despite the fact that the parish contained 10.1 percent of the improved land in that district. Furthermore, the rice production of the parish had decreased drastically from 1850 to 1860 (Brockington et al. 1985:41). Brockington et al. (1985:41) note that the parish solved the problem of rice and cotton noncompetitiveness by shifting its emphasis to ranching and truck farming. Thus, as the Civil War approached, the economy of Christ Church Parish had already begun to move away from the old plantation system associated with rice and cotton agriculture.

The above-mentioned Horlbecks were important citizens in the area. In 1770, Peter and John Horlbeck constructed a powder magazine at Pritchard's shipyard at the request of several citizens (McIver 1960:9). During the first few decades of the nineteenth century, the plantations on the Wando Neck expanded their industrial facilities to the point that the major products of these landholdings were bricks. Brickyard Plantation and Parker Island (both owned by the Horlbeck family during this period) were the largest complexes (see Espenshade and Grunden 1991; Rust and Wolf 1999; Southerlin et al. 1988).

The Civil War effectively destroyed the plantation system in South Carolina and the rest of the South. The antebellum economic system disintegrated as a result of emancipation and the

physical destruction of agricultural property through neglect and (to a lesser extent) military action. A constricted money supply coupled with huge debt made the readjustments worse. The changes were enormous. Land ownership was reshuffled as outsiders began purchasing plots and former plantations which had been abandoned in the wake of the Civil War.

This appears to be the situation at the project tract. In the 1870s, Henry Horlbeck was the owner of the project tract. The 1870 federal census indicates that Henry was a 70-year-old retired merchant living in the Fourth Ward of Charleston. He and his wife Louisa sold the Plantation Tract, as it was referred to in the deed, to Frederick Henry and John S. Horlbeck for \$10,000 on 27 March 1872 (Charleston County Deed Book [CCDB] C16:172). The 1870 federal census shows that Frederick Henry Horlbeck, Henry's son, was a 21-year old planter and had begun a land development.

In January 1873, T. A. Hugerin surveyed Hamlin's Sea Shore development, which was recorded in Book B-46. The division of the land into separate lots resulted in the creation of several small farmsteads. Figure 2 presents a copy of the 1873 plat of Hamlin's Sea Shore. The appearance of these small farms is in keeping with the shift of postbellum agriculture in Christ Church Parish. In addition to corn, cotton, and cattle, truck farming was a major element of the local economy. Truck crops accounted for 24 percent of the agricultural value for Charleston County by 1900. The importance of truck farming in Charleston County grew significantly, and in 1930 truck crops represented 79 percent of all crops grown in Charleston County (Brockington et al. 1985:49). This level of importance has remained relatively stable through the present.

World War II had a profound impact on the entire Charleston area, as it had on much of the South. The war created an economic boom throughout the nation, which was made more dramatic in the South given the number of military bases and facilities built there. Charleston was a perfect example. The Navy Yard received new destroyers, shipbuilding plants, and other support facilities, while other military activities emerged in the city's surrounding region. At the same time, while the population rose modestly in the central city, it rose dramatically in the suburbs and villages in the surrounding area. The Charleston area was put on a war footing as a result of the harbor and the Navy Yard, especially since German U-boats patrolled the harbor in the early years of the war (Fraser 1989:387-389). The area's waterways became important avenues for civilian patrols and other shipments; World War II-era pilings along Hobcaw Creek near I'On indicate the presence of barges.

Since World War II, the region has continued to possess significant numbers of small farms. In addition, timber harvesting returned as a major industry, particularly in the northern and more

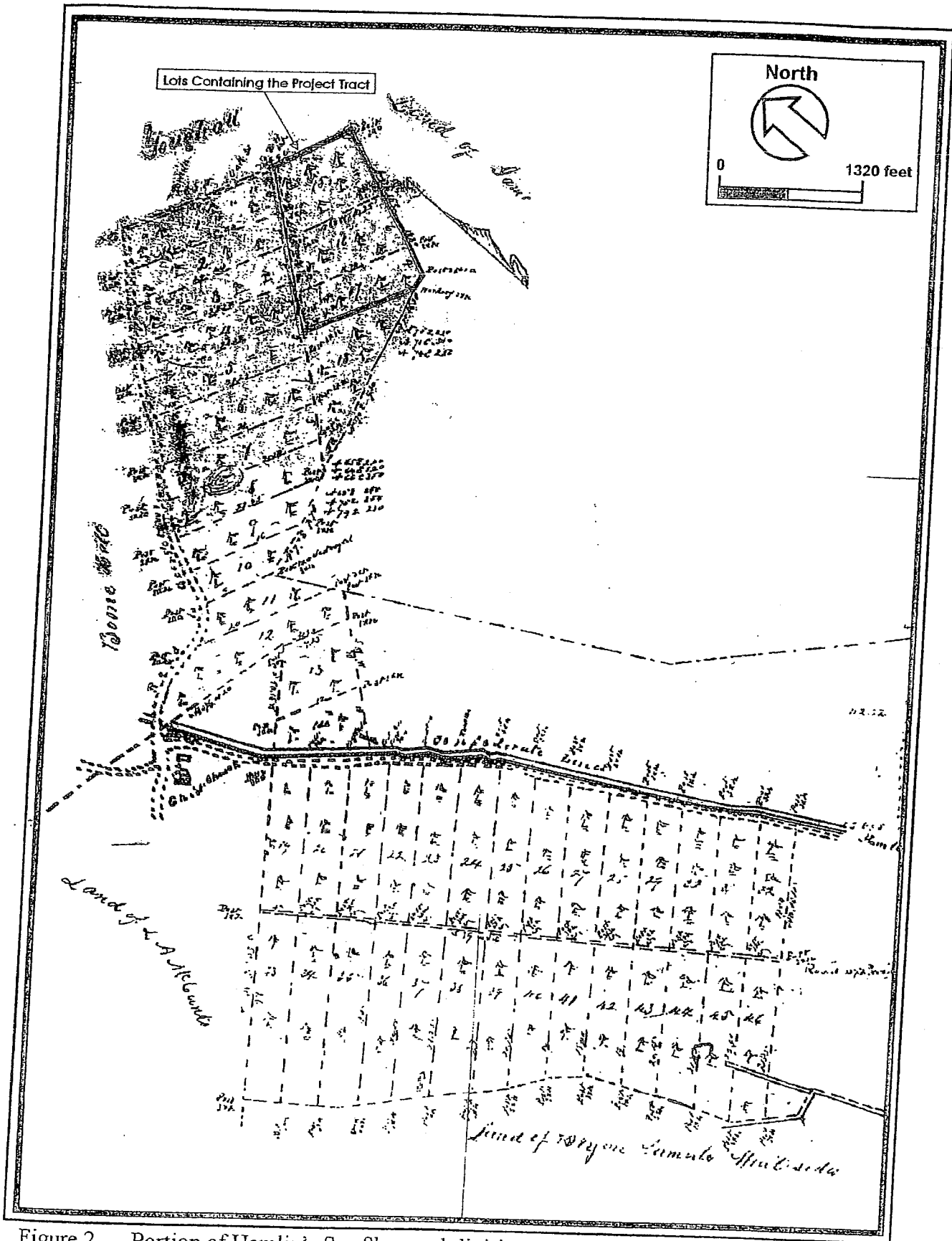


Figure 2. Portion of Hamlin's Sea Shore subdivision plan (Charleston County Plat B:46).

inland portions of the parish. Among the more distinctive local industries to emerge was shrimping. While residents of the Mount Pleasant area had harvested shrimp and other shellfish from the marine and estuarial waters of the area for thousands of years, the establishment of an industry in shrimping did not occur until the twentieth century. Limited industrial developments have also occurred along the Wando River; however, the greatest change is evidenced by the development of Mount Pleasant, at the mouth of the Wando, and the adjacent areas as a bedroom community for the expanding greater Charleston area. Much of the agricultural and forest land of the lower Wando River is being developed as residential tracts. The increasing population was one of the factors for the development of the Mark Clark Expressway (I-526).

The current project tract is composed of three tracts from the 1873 platting. They are Lots 15, 16, and 17. Farming activity on these lots was most likely small in nature. Neither the USGS *Wando* topographical map (1920) nor the Charleston County General Highway Map (1937) shows any buildings on the project tracts. The individual lots are discussed below.

Lot 15 (TMS 25800000054) was a 13-acre tract plotted in January 1873 by T.A. Hugerin and shown on a plat recorded in Book B-46. The tract was originally sold to Adam Lining and his son Stephen on 6 March 1874 (CCDB Q16:48). A later deed stated that both Adam and Stephen died without wills and the land passed to York, Stephen's son, all of whom died interstate. York's son Robert began managing the property in 1930, and later petitioned the courts to be granted the land. In 1971, Robert sold 3.2 acres of the tract to John A. Foreman on 21 October (CCDB V97:21). The heirs of John A. and Mary Foreman sold several tracts of land, including this one, to Meridian Buildings for \$850,000 on 26 August 2005 (CCDB Y551:431).

Lot 16 (TMS 25800000050) was a 6 3/4-acre tract plotted in January 1873 by T. A. Hugerin and shown on a plat recorded in Book B. Based on later deeds, it appears that the tract was originally sold to Joe Moultrie, but no record of the sale could be located. The 1880 federal census shows a Joe Moultrie in Christ Church Parish, so we can assume him to be the owner. Moultrie was listed on the census as a 65-year-old African American sailor. Moultrie sold the tract to Joseph Butler (CCDB Q22:273). The 1880 census shows that Joseph Butler was a 27-year-old mulatto millwright. Charlotte Butler, Joseph's widow, sold the tract to their son Cain Butler on 13 June 1902 for \$75.00 (CCDB Q22:273). The 1900 federal census indicates that Cain was a 25-year-old African American farm laborer. Cain died in 1923 without a will. His heirs agreed to convey the tract to John A. Foreman, Cain's grandson, for \$1.00 on 9 May 1959 (CCDBG68:465). The heirs of John A. and Mary Foreman sold several tracts of land, including this one, to Meridian Buildings for \$850,000 on 26 August 2005 (CCDB Y551:431).

Lot 17 (TMS 2580000052) was a 10.5-acre tract plotted in January 1873 by T. A. Hugerin and shown on a plat recorded in Book B-46. The tract was originally sold to Porter Manigault on 6 February 1875 (CCDB R16:218). The Freedman Bank records from 1871 show that Porter Manigault was a 50-year-old African American farmer living in Christ Church Parish. It is interesting that the application notes he had only one eye. Because Manigault died without a will, the sheriff sold the tract to Adam Robinson for \$8.65. The receipt showed no buildings on the tract (CCDB G23:184). Ironically, Robinson also died without a will, and the sheriff again sold the tract for unpaid taxes. Edward Tiencken purchased the tract in 1928 for \$11.47. The receipt for taxes shows that the tract contained two buildings. The 1930 federal census shows Edward Tiencken was a 62-year-old white produce salesman. On 24 March 1932, Tiencken sold the tract to C. J. F. Rabens for \$250.00 (CCDB U36:11). When Rabens died, possession of the tract went to his wife Thelma. By the terms of Thelma's will, upon her death the tract was conveyed to Betty Jean Huggins (Charleston County Probate Book G129:270). On 8 November 1994, Huggins sold the tract to Charles R., Wallace R., and James R. LaFlamme for \$3,000 (CCDB Z250:314).

Field Investigations

There are two standing structures on the project tract; one is a modern brick ranch house that fronts on Hamlin Road, and the other is a small white frame house located behind the ranch house. Figure 3 shows both structures. Although the small white frame house could be at least fifty years old, it does not possess the structural integrity or design styles that would warrant inclusion in the statewide survey of historic structures. Map research indicates that three additional houses from the mid-twentieth century once stood on the tract (see Figure 1). These houses have been razed or moved off the tract. Figure 3 (bottom) shows an open space near the southeast corner of the project tract that may have been the location of one or more of these structures. The former house sites may now constitute archaeological sites, but it is likely that they are highly disturbed and are not eligible for the NRHP.

The remainder of the tract is covered in mixed pine and hardwood forests. Soils on the tract consist primarily of Scranton loamy fine sand. These soils are moderately well drained and poorly drained. The water table can vary from near the surface during rainy periods to three feet below the surface (Miller 1971). These soils have a moderate potential for containing Pre-Contact-era archaeological resources. We did not conduct any excavations during the field investigations.

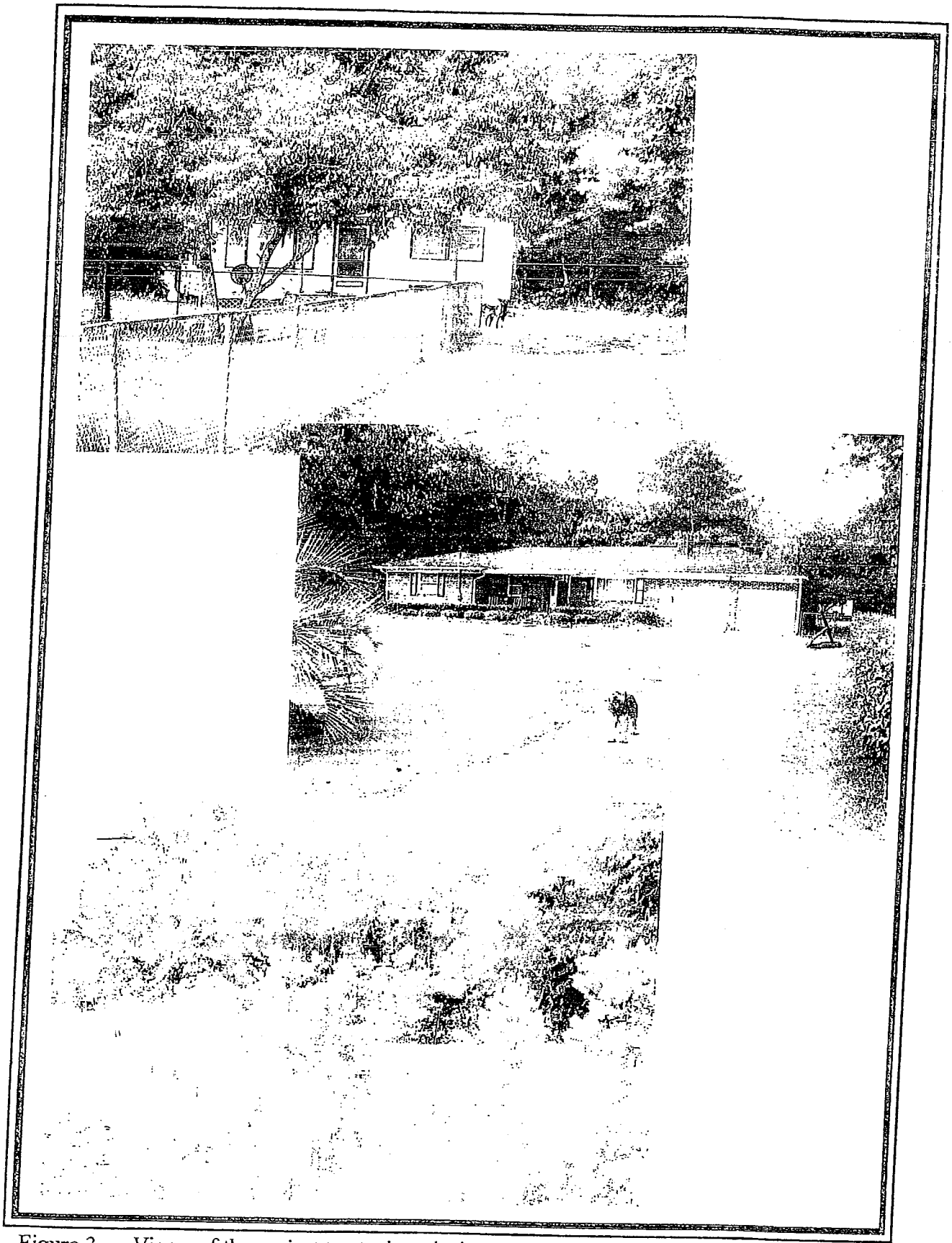


Figure 3. Views of the project tract taken during the field investigations.

Summary and Management Recommendations

There are no known historic properties on the project tract, although there are several within one mile of the tract. As a result, a full survey of the tract is likely to be required prior to OCRM or USACE permitting. The survey should identify and assess all archaeological resources that may be present on the project tract and should assess the potential for development of the project tract to affect the known historic properties near the tract. It is unlikely that the results of the full survey will significantly alter plans for the future development of the tract.

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PLANNED DEVELOPMENT DISTRICT

Hamlin Place

**Christ Church Parish
Charleston County, South Carolina**

**Current Charleston Co.
Zoning & Land
Development Regulations**

RR-1 Standards



Charleston County Zoning and Land Development Regulations

Adopted November 20, 2001

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CHARLESTON COUNTY ZONING and LAND DEVELOPMENT REGULATIONS



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CHARLESTON COUNTY PLANNING DEPARTMENT
LONNIE HAMILTON III, PUBLIC SERVICES BUILDING
4045 BRIDGE VIEW DRIVE
NORTH CHARLESTON, SOUTH CAROLINA 29405
(843) 202-7200

-Adopted November 20, 2001 -

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CHAPTER 1 | INTRODUCTORY PROVISIONS

ART. 1.1 TITLE

This ordinance shall be officially known and cited as the Zoning and Land Development Regulations of Charleston County, South Carolina. It may be referred to in this document simply as "this Ordinance."

ART. 1.2 AUTHORITY

This Ordinance is adopted pursuant to the statutory authority conferred by Title 4, Chapter 9 and Title 6, Chapter 29 of the Code of Laws of South Carolina, as amended.

ART. 1.3 EFFECTIVE DATE

This Ordinance shall take effect on November 20, 2001.

ART. 1.4 APPLICABILITY AND JURISDICTION

§1.4.1 GENERALLY

This Ordinance shall apply to all development, public and private within the unincorporated areas of Charleston County. All structures and land uses constructed or commenced hereafter, and all enlargements of, additions to, changes in and relocations of existing structures and uses occurring hereafter shall be subject to this Ordinance and all other authorities pursuant to Title 6, Chapter 29 of the Code of Laws of South Carolina, as amended.

COMMENTARY

This Zoning and Land Development Regulations contains zoning, subdivision and other land development regulations (LDRs) that help implement Charleston County's Comprehensive Plan.

§1.4.2 NEW OR MOVED STRUCTURES

All structures built hereafter shall comply with all of the regulations of this Ordinance. Any structure moved from one site to another site, including movement within a zoning lot, shall be considered to be a structure built hereafter.

§1.4.3 REMODELING

If any structure is hereafter remodeled:

- A. The entire structure as remodeled shall comply with the use regulations of this Ordinance.
- B. Any alterations, enlargements, or additions to the structure shall comply with all applicable density/intensity and dimensional standards of the underlying zoning district.
- C. Off-street parking facilities shall not be reduced below (or if already less than, shall not be further reduced below) the requirements of this Ordinance applicable to a similar new structure or use.

§1.4.4 CHANGE IN LAND USE OR LAND CLASSIFICATION

If a use of any structure is hereafter changed to another use, then the new use must comply with the use regulations in Chapter 6 of this Ordinance, but the mere establishment of the new use does not

Chapter 1

Introductory Provisions

require the existing structure to comply with the density, intensity and dimensional standards of the underlying zoning district.

ART. 1.5 PURPOSE AND INTENT

This Ordinance is intended to protect the health, safety, and general welfare of existing and future residents of Charleston County by:

- A. Implementing the goals, objectives and policies of the *Comprehensive Plan*;
- B. Providing for adequate light, air, and open space;
- C. Preventing overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- D. Protecting and preserving scenic, historic, or ecologically sensitive areas;
- E. Regulating the density and distributions of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- F. Facilitating the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements;
- G. Securing from fire, flood, and other dangers; and
- H. Furthering the public welfare in any other regard specified by a local governing body.
- I. Facilitating the creation of a convenient, attractive and harmonious community;
- J. Encouraging the development of economically sound and stable municipalities and counties;
- K. Assuring the timely provision of required streets, utilities, and other facilities and services to new land developments;
- L. Assuring the provision of needed public open spaces, building sites and new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes; and
- M. Assuring, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the *Comprehensive Plan*; and
- N. Fostering growth and development, and preserving our natural and cultural resources, always respecting the rights of the individual, including private property rights.

ART. 1.6 COMMENTARY

Commentaries may be included in this Ordinance whenever a provision requires additional explanation to clarify its intent. Commentaries have no regulatory effect, but rather are intended solely as a guide for administrative officials and the public to use in understanding and interpreting provisions of the Zoning and Land Development Regulations.

COMMENTARY

"Commentaries" are used as a guide for administrative officials and the public to use in interpreting and understanding the rationale behind this Ordinance's regulations.

ART. 1.7 WORD USAGE AND CONSTRUCTION OF LANGUAGE**§1.7.1 MEANINGS AND INTENT**

All provisions, terms, phrases and expressions contained in this Ordinance shall be construed according to the Purpose and Intent set out in Art. 1.5.

§1.7.2 HEADINGS, ILLUSTRATIONS AND TEXT

In case of any difference of meaning or implication between the text of this Ordinance and any heading, drawing, table, figure, or illustration, the text shall control.

§1.7.3 LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples; not to be exhaustive lists of all possibilities.

§1.7.4 COMPUTATION OF TIME

All references to "days" are to Charleston County Government work days unless otherwise expressly stated. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by Charleston County Government, that day shall be excluded.

§1.7.5 REFERENCES TO OTHER REGULATIONS, PUBLICATIONS AND DOCUMENTS

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, that reference shall be construed as referring to the most recent editions of such regulation (as amended), resolution, ordinance, statute, regulation, or document or to the relevant successor document, unless otherwise expressly stated.

§1.7.6 DELEGATION OF AUTHORITY

Authority to enforce the provisions of this Ordinance falls to the Director of the Planning Department or the designee of the Director, or to the head of the department (or that department head's designee) for which the responsibility of executing the provision falls. Any reference to the "Planning Department" shall mean the Director of the Charleston County Planning Department or their designee.

§1.7.7 TECHNICAL AND NONTECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. Certain words and phrases are defined in Chapter 12 of this Ordinance; those words and phrases shall be construed in accordance with their definitions in Chapter 12.

ART. 1.10 ZONING MAP**§1.10.1 ADOPTION**

Charleston County is hereby divided into zoning districts as shown on the Charleston County Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

§1.10.2 FORMAT

The Official Zoning Map shall be identified by the signature of the Chairman of County Council, attested by the County Clerk and bearing the seal of the County under the following words: "This is to certify that this is the Official Zoning Map referred to in Art. 1.10 of the Zoning and Land Development Regulations of Charleston County, S.C. adopted on November 20, 2001, or as amended."

§1.10.3 AMENDMENTS

If amendments are made in zoning district boundaries in accordance with the procedures of Art. 3.4, such amendments shall be revised by the Planning Department on the Official Zoning Map promptly after the amendment has been approved by County Council.

§1.10.4 LOCATION

The original version of the Official Zoning Map shall be maintained in the office of the Planning Department. In case of any dispute regarding the zoning classification of property subject to this Ordinance, the Official Zoning Map maintained by the Planning Department shall control.

§1.10.5 CORRECTIONS AND REPLACEMENT

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret by reason of the nature or number of changes and additions, the County Council may by resolution adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting and other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map, as amended. The new Official Zoning Map shall be marked, "This Official Zoning Map, adopted by resolution of the County Council of the County of Charleston, S.C. on (date) supersedes the Official Zoning Map adopted (date) of the Charleston County," which statement shall be signed by the Chairman of County Council, attested by the County Clerk, and bear the seal of Charleston County, S.C. Unless the prior Official Zoning Map is lost or has been totally destroyed, the map or any significant parts thereof remaining after partial destruction shall be preserved, together with all records of Charleston County regarding its adoption and amendment.

§1.10.6 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundary of any zoning district shown on the zoning map, the following rules shall apply:

- Unless otherwise indicated, district boundaries follow lot lines; center lines of streets, highways, alleys or railroads; center lines of water courses or impoundments of streams, reservoirs, or other bodies of water.
- Where so indicated, district boundaries are parallel to the center lines of streets, highways, or railroads, or rights-of-way of same, or the center lines of streams, reservoirs, or other bodies of water, or said lines extended as such distances therefrom as indicated on the zoning map. If no distance is given, distance shall be determined by the use of the scale on the zoning map.

§1.7.8 PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of Charleston County, unless otherwise expressly provided. Whenever reference is made to a public official's title or name of a public agency, that reference shall be construed as referring to the most up-to-date title or agency name, or to the relevant successor official or agency.

§1.7.9 MANDATORY AND DISCRETIONARY TERMS

The words "shall," "will," and "must" are mandatory. The words "may" and "should" are advisory and discretionary terms.

§1.7.10 CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

"And" indicates that all connected items, conditions, provisions, or events apply; and

"Or" indicates that one or more of the connected items, conditions, provisions, or events may apply.

§1.7.11 TENSES AND PLURALS

Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.

ART. 1.8 MINIMUM REQUIREMENTS

The standards of this Ordinance are minimum requirements. The issuance of any permit, certificate or approval in accordance with the standards and requirements of this Ordinance shall not relieve the recipient of responsibility for complying with all other applicable requirements of any other county, state or federal agency.

ART. 1.9 CONFLICTING PROVISIONS**§1.9.1 CONFLICT WITH STATE OR FEDERAL REGULATIONS**

If the provisions of this Ordinance are inconsistent with those of the state or federal government, the more restrictive provision shall control, to the extent permitted by law.

§1.9.2 CONFLICT WITH OTHER COUNTY REGULATIONS

If the provisions of this Ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the county, the more restrictive provision will control. No text amendment, zoning variance or condition of approval attached to any form of development approval under this Ordinance shall have the effect of nullifying, abrogating or diminishing the provisions of any other county ordinance.

§1.9.3 CONFLICT WITH PRIVATE EASEMENTS, AGREEMENTS OR COVENANTS

This Ordinance is not intended to abrogate, annul, or otherwise interfere with any private easement, agreement, covenant, restriction or other private legal relationship. The county is responsible for enforcing this Ordinance; it does not enforce private agreements, easements, covenants or restrictions to which the County is not a party.

- Where any district boundary is indicated on the zoning map as approximately following the Charleston County boundary line or the corporate limits line of any incorporated place within Charleston County, then such county boundary line or corporate limits line shall be construed to be the actual district boundary.

§1.10.7 MARSH BOUNDARIES

With the exception of lands within the ownership of national forests, swampland, wildlife refuges, and any other publicly designated areas, the Office of Coastal Resource Management shall determine the boundaries and have jurisdiction over critical areas. Fresh water wetlands shall have boundaries set by the Army Corps of Engineers.

§1.10.8 ZONING OF ADDITIONAL LAND AREAS

It is the intent of this Ordinance that every part of the land area of unincorporated Charleston County be included in one of the zoning districts established by this Ordinance. Any land area that comes under the jurisdiction of this Ordinance or does not appear to be included in a zoning district shall be classified in the AG-25 district unless an alternative classification is approved by the Charleston County Council in accordance with the Zoning Map Amendment procedures of Chapter 3.

ART. 1.11 TRANSITIONAL PROVISIONS**§1.11.1 VIOLATIONS CONTINUE**

Any violation of the previous Zoning Ordinance or Subdivision Ordinance will continue to be a violation under this Ordinance and be subject to penalties and enforcement under Chapter 11, unless the use, development, construction, or other activity complies with the provisions of this Ordinance, in which case enforcement action shall cease, except to the extent of collecting penalties for violations that occurred before April 21, 1999.

§1.11.2 LEGAL NONCONFORMITIES UNDER PRIOR ORDINANCE

Any legal nonconformity under the previous Zoning Ordinance will also be a legal nonconformity under this Ordinance, as long as the situation that resulted in the nonconforming status under the previous Zoning Ordinance continues to exist. If a nonconformity under the previous Zoning Ordinance becomes conforming because of the adoption of this Ordinance, then the situation will no longer be considered a nonconformity.

§1.11.3 APPROVED PROJECTS

- Variances and preliminary subdivision plats that have received approval by April 20, 1999, shall remain valid until their expiration date. Construction pursuant to such approval may be carried out in accordance with the development standards in effect at the time that approval was granted, provided that the permit or approval remains valid and has not lapsed. Construction pursuant to conditional use permits, variances, preliminary subdivision plats, and planned developments that were approved without an expiration date may be carried out in accordance with the development standards in effect at the time that approval was granted, provided that permits for such construction are issued prior to April 20, 2001. As of April 20, 2001, all construction shall be subject to strict compliance with the regulations of this Ordinance.

- B. No provision of this Ordinance shall require any change in the plans, construction, or designated use of any structure for which a zoning permit or building permit has been issued prior to April 21, 1999, provided that permit does not lapse and remains valid.
- C. No previously approved lot shall be deemed an unusable lot under the provisions of this Ordinance.

§1.11.4 SPECIAL EXCEPTION USES

- A. Any use that was legally established before April 21, 1999, without Special Exception approval and which after April 21, 1999, is located in a zoning district that requires Special Exception approval for the subject use, shall not be considered nonconforming merely as a result of not having secured Special Exception approval. Expansions and modifications of such uses shall be subject to the Nonconforming Uses Section of Chapter 10.
- B. Any use that was legally established before April 21, 1999, with a Conditional Use Permit and which after April 21, 1999, is located within a zoning district that requires Special Exception approval for the subject use, may continue to be operated under the terms of the original Conditional Use Permit. The use shall be subject to all applicable standards of this Ordinance. Expansion and modifications of such uses shall be subject to the Nonconforming Uses Section of Chapter 10.

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ART. 1.12 SEVERABILITY

If any Court of competent jurisdiction rules any provision of this Ordinance invalid, that ruling shall not affect any not specifically included in the judgment. If any Court of competent jurisdiction rules invalid the application of any provision of this Ordinance to a particular property, building, or other structure, or use, that ruling shall not affect the application of the Ordinance provisions to any property, building, other structure, or use not specifically included in the judgment.

CHAPTER 2 | REVIEW AND DECISION-MAKING BODIES

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ART. 2.1 COUNTY COUNCIL

§2.1.1 REVIEW AUTHORITY

The County Council does not act in a review or recommending capacity.

§2.1.2 DECISION-MAKING AUTHORITY

The County Council shall have final (local) decision-making authority on the following matters:

- A. Comprehensive Plan Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning);
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments; and
- E. Acceptance of public dedications (offered as part of Subdivision Plat process)

ART. 2.2 PLANNING COMMISSION

§2.2.1 REVIEW AUTHORITY

The Planning Commission acts in a review and recommending capacity on the following matters:

- A. Comprehensive Plan Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning); and
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments.

§2.2.2 DECISION-MAKING AUTHORITY

The Planning Commission shall have final (local) decision-making authority on the following matters:

- A. Preliminary Subdivision Plats;
- B. Public Project Review;
- C. Appeals of Administrative Decisions on Final Subdivision Plats;
- D. Appeals of Administrative Decisions on Subdivision Matters; and
- E. Any other matters pursuant to Chapter 29, Title 6, Section 6-29-340 of the Code of Laws of South Carolina, as amended.

§2.2.3 OFFICERS, RULES, MEETINGS, AND MINUTES

Pursuant to Chapter 29, Title 6 of the Code of Laws of South Carolina §6.29.350 and §6.29.360, the Planning Commission shall elect one of its members as chairperson and one as vice-chairperson whose terms must be for one year. It shall appoint a secretary who may be an officer or an employee of the governing authority or of the Planning Commission. The Planning Commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. The Planning Commission shall meet at the call of the chairperson and at such times as the chairperson or commission may determine. The Planning Commission may purchase equipment and supplies and may employ or contract for such staff and such experts as it considers necessary and consistent with funds appropriated.

§2.2.4 COMPOSITION

The Planning Commission shall consist of nine members appointed by the County Council for terms of four years each, provided, however, that of the initial members of the Planning Commission, five members shall be appointed for four year terms and four members shall be appointed for two year terms. Members shall serve until their successors are appointed and qualified. The members of the Planning Commission shall serve without compensation from the County. Any vacancy which may occur on the Planning Commission shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. In appointing members to the Planning Commission the County Council shall consider their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. The membership of the Planning Commission should represent a broad cross-section of the interests and concerns within Charleston County. No member of the Planning Commission may hold an elected public office in Charleston County.

ART. 2.3 BOARD OF ZONING APPEALS

§2.3.1 REVIEW AUTHORITY

The Board of Zoning Appeals does not act in a review or recommending capacity.

§2.3.2 DECISION-MAKING AUTHORITY

The Board of Zoning Appeals shall have final decision-making authority on the following matters:

- A. Special Exceptions;
- B. Variances; and
- C. Appeals of Administrative Decisions on Zoning Related Matters.

§2.3.3 OFFICERS, RULES, MEETINGS AND MINUTES

Pursuant to Chapter 29, Title 6 of the Code of Laws of South Carolina §6.29.790, the Board of Zoning Appeals shall elect one of its members as Chair who shall serve for one year or until re-election or a successor is elected and qualified. The Board of Zoning Appeals shall adopt rules and procedures in accordance with the provisions of this Ordinance not inconsistent with the provisions of Chapter 29 Title 6 of the Code of Laws of South Carolina, as amended. The Board of Zoning Appeals shall appoint a Secretary. The Secretary may be an employee of the County. Meetings of the Board shall be at the call of the Chair and at such other times as the Board of Zoning Appeals may determine. Public notice of all meetings of the Board of Zoning Appeals shall be provided by publication in a newspaper of general circulation in Charleston County. The Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote. The Board of Zoning Appeals shall maintain records of its examinations and official actions, all of which, upon approval, shall be filed immediately in the office of the Planning Director. Such records shall be available for public review and inspection during normal business hours.

§2.3.4 COMPOSITION

The Board of Zoning Appeals shall consist of nine members appointed by the County Council for terms of four years each, provided, however, that of the initial members of the Board of Zoning Appeals, five members shall be appointed for four year terms and four members shall be appointed for two year terms. Members shall serve until their successors are appointed and qualified. The members of the Board of Zoning Appeals shall serve without compensation from the County. Any vacancy which may occur on the Board of Zoning Appeals shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. No member of the Board of Zoning Appeals may hold an elected public office in Charleston County.

ART. 2.4 PLANNING DIRECTOR

§2.4.1 REVIEW AUTHORITY

The Planning Director shall act in a review capacity on the following matters:

- A. Comprehensive Plan Amendments;
- B. Zoning and Land Development Regulations Text Amendments;
- C. Zoning Map Amendments (Rezoning);
- D. Planned Development (PD) Development Plans and PD Zoning Map Amendments;
- E. Preliminary Subdivision Plats;
- F. Final Subdivision Plats;
- G. Special Exceptions; and
- H. Public Project Review.

§2.4.2 DECISION-MAKING AUTHORITY

The Director of the Planning Department shall have final (local) decision-making authority on the following matters:

- A. Written Interpretations;
- B. Zoning Permits; and
- C. Final Subdivision Plats.

- H. Reviewing, approving, and issuing Administrative Permits as authorized by this Ordinance and maintain records of these permits.

§2.4.3 OTHER POWERS AND DUTIES

The Planning Director shall have the following powers and duties in addition to those otherwise set out under this Ordinance:

- A. Maintaining permanent and current records of this Ordinance including, but not limited to, all zoning maps, amendments, special exceptions, variances, appeals, and applications thereof and records of hearings thereon. Such records shall be open to public inspection during business hours;
- B. Providing such clerical, technical, and consultative assistance as may be required by the Board of Zoning Appeals, Planning Commission, County Council, and other boards, commissions and officials in the exercise of their duties relating to this Ordinance;
- C. Enforcing all provisions of this Ordinance;
- D. Maintaining a record of all applications for zoning permits, including all plats and plans submitted therewith, which record shall be open to public inspection during business hours;
- E. Conducting inspections of structures, land and the uses thereof to determine compliance with this Ordinance;
- F. Receiving, filing, and forwarding to the Board of Zoning Appeals the records of all appeals and variances;
- G. Receiving, filing, and forwarding to the Board of Zoning Appeals all applications for Special Exceptions, and

CHAPTER 3 | DEVELOPMENT REVIEW PROCEDURES

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CHAPTER 3 | DEVELOPMENT REVIEW PROCEDURES

ART. 3.1 GENERAL

The general provisions of this section apply to all development applications and procedures under this chapter unless otherwise stated.

§3.1.1 AUTHORITY TO FILE APPLICATIONS

Applications for review and approval under this chapter may be initiated by (1) petition of all the owners of the property that is the subject of the application; (2) the owners' authorized agents; or (3) Review and Decision-Making Bodies.

§3.1.2 FORM OF APPLICATION

Applications required under this chapter shall be submitted in a format and in such numbers as required by the official responsible for accepting the application. Application submittal requirements and format information shall be available to the public in the Planning Department.

§3.1.3 FILING FEES

Applications shall be accompanied by the fee amount that has been established by the County Council for the respective type of application. Fees shall not be required for applications initiated by authorized Review or Decision-Making Bodies.

§3.1.4 APPLICATION COMPLETENESS

Applications required under this Ordinance shall be considered complete only if they are submitted in the required format, include all mandatory information and are accompanied by the established fee. Any application that is determined to be incomplete shall, within 15 days of its submittal, be returned to the applicant along with an explanation of the application's deficiencies. Fees shall not be refunded. No further processing of the application shall occur until the deficiencies are corrected. Once the deficiencies are corrected, the application may be resubmitted without the payment of additional fees, provided that it is resubmitted within 6 months of the date that the application was returned to the applicant. Applications resubmitted more than 6 months after the date that the application was returned as incomplete shall require repayment of applicable fees.

§3.1.5 APPLICATION SUBMITTAL

Whenever the procedures of this Ordinance expressly state that applications are to be submitted after a "pre-application conference," applicants shall be responsible for scheduling and attending such meetings. When pre-application conferences are required, an application shall not be accepted until the pre-application conference has been conducted, and any errors or omissions noted in review of the application for completeness have been addressed by the applicant.

§3.1.6 NOTICES

A. CONTENT

All notices with the exception of Posted Notices required under this Ordinance shall: (1) indicate the date, time and place of the public hearing or date of action that is the subject of the notice; (2) describe the property involved in the application by street address and, if required, by legal description; (3) describe the nature, scope and purpose of the application or proposal; and (4) indicate where additional information on the matter can be obtained. Posted Notices under this Ordinance shall indicate time and place and indicate where any additional information on the subject of the notice can be obtained.

COMMENTARY

References to "days" are to Charleston County Government work days, unless otherwise indicated.

Chapter 3

Development Review Procedures

Commentary

DEVELOPMENT REVIEW PROCEDURES SUMMARY

Procedure	Review [R], Decision-Making [DM] and Appeal [A] Bodies				Notices See Section 3.1.6			
	Staff	PC	CC	BZA	News	Post	Neighbor	Parties in Interest
Comprehensive Plan Amendments	R	R	DM		✓			✓
Ordinance Text Amendments	R	R	DM		✓			✓
Zoning Map Amendments	R	R	DM		✓	✓	✓	✓
Planned Development (PD) Zoning Map Amendment	R	R	DM		✓	✓	✓	✓
Special Exceptions	R			DM	✓	✓	✓	✓
Site Plan Review	DM			A				
Variances	R			DM	✓	✓	✓	✓
Written Interpretations	DM			A				
Public Project Review	R	DM			✓			✓
Appeals of Zoning-Related Administrative Decisions				DM	✓			✓
Appeals of Subdivision-Related Administrative Decisions			DM		✓			✓

Notes: In cases where no Appeal Body is shown or where the County Council is shown as final Decision-Making Body, appeals shall be taken to the Circuit Court of Charleston County, as provided by law.
 R = Review Body [Responsible for Review and Recommendation]
 DM = Decision-Making Body [Responsible for Final Decision to Approve or Deny]
 A = Authority to hear and decide appeals of Decision-Making Body's action
 Neighbor notice is a courtesy notice; failure to provide will not invalidate any action taken.

B. TYPES

1. Newspaper Notice

When the provisions of this Ordinance require that "Newspaper Notice" be provided, the official responsible for accepting the application shall ensure that notice is published in a newspaper of general circulation in the County. Unless otherwise expressly provided in state statutes or this Ordinance, the first required newspaper notice shall be published at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Newspaper Notice shall indicate the time and place of action that is the subject of the notice, describe the property involved in the application by street address and, if required, by legal description, describe the nature, scope and purpose of the application or proposal.

2. Posted Notice

When the provisions of this Ordinance state that "Posted Notice" should be provided, the official responsible for accepting the application shall post the

notice on the subject property in a manner that makes the notice clearly visible to neighboring residents and passers-by from each public street bordering the subject property. Unless otherwise expressly provided in state statutes or this Ordinance, posted notice shall be in place at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice

3. Neighbor Notice

When the provisions of this Ordinance require that "Neighbor Notice" be provided, the official responsible for accepting the application shall mail notice to the applicant and all property owners within 300 feet of the subject property. Ownership information shall be obtained from the County Assessor's Office. Unless otherwise expressly provided in state statutes or this Ordinance, required neighbor notices shall be deposited in the U.S. mail at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Failure to provide this notice will not invalidate any action taken.

COMMENTARY

When neighbor notice is required, courtesy notice will be provided to the Planning Director of any municipality within 1 mile of the subject tract.

4. Parties in Interest

When the provisions of this Ordinance require that notice be sent, the following parties of interest shall also be notified: the applicant, the owner of the property (if other than applicant), and any individual, group or organization that has submitted a written statement of interest to the Planning Director. The Planning Director has no responsibility for maintaining the names and addresses of these groups or other "Parties of Interest."

C. CONSTRUCTIVE NOTICE

Minor defects in a notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. In all cases, however, the requirements for the timing of the notice and for specifying the date, time and place of a hearing and the location of the subject property shall be strictly construed. If questions arise regarding the adequacy of notice, Review and Decision-Making Bodies shall make formal findings regarding whether there was substantial compliance with the notice requirements of this Ordinance.

§3.1.7 ACTION BY DECISION-MAKING BODIES

Unless otherwise expressly stated, Decision-Making Bodies shall be authorized to approve, approve with conditions or deny applications and permit requests based on compliance with the applicable review and approval criteria. Decision-Making Bodies shall also be authorized to refer an application back to a review body or to defer action while additional information is being obtained.

§3.1.8 INACTION BY REVIEW AND DECISION-MAKING BODIES

When a Review or Decision-Making Body fails to take action on an application within the time required, such inaction shall be interpreted as a recommendation of approval of the application, respectively. Time-frames for action may be extended if the applicant consents to the extension. When a review body fails to take action on an application within the time required, the Decision-Making Body shall be free to proceed with its own action on the matter without further awaiting the recommendation of the review body.

§3.1.9 CONDITIONS OF APPROVAL

Unless otherwise expressly stated, Decision-Making Bodies shall be authorized to impose conditions of approval as allowed by law. Conditions may be those deemed necessary to reduce or minimize any potential adverse impact upon other property in the area or to carry out the general purpose and intent of this Ordinance. All conditions must relate to a situation created or aggravated by the proposed use and be roughly proportional to the impact of the approved use or activity.

§3.1.10 APPROVAL CRITERIA; BURDEN OF PERSUASION

In all cases, the applicant shall have the burden of establishing that an application complies with applicable approval criteria.

§3.1.11 PUBLIC HEARINGS

A public hearing for which proper notice was given may be continued to a later date without again complying with the notice requirements of this Ordinance, provided that the continuance is set for a certain date and time and the date and time is announced at the public hearing.

§3.1.12 SUCCESSIVE APPLICATIONS

A. TIME LIMIT

If a final Decision-Making Body denies an application for a Zoning Map Amendment, Planned Development or Special Exception use, an application for the same or more intensive zoning, development or use on the subject parcel, whether the parcel is in its original configuration, expanded or reduced in area, shall not be accepted for 12 months from the date that the Decision-Making Body acted to deny the application.

B. WAIVERS

The time limit of Section 3.1.12A notwithstanding, Decision-Making Bodies may, after receipt of written petition by the property owner waive the waiting period requirement by a 2/3 vote of members present and voting. If the time limit is waived, the Decision-Making Body shall give written notice to the Planning Director, directing staff to process the application. All re-submissions shall be processed as new applications, with prescribed fees. All documents and fees required for the respective type of application shall be included with the new application. Denial of the application shall be final and the 12-month waiting period shall be met before further consideration of a similar application on the subject property.

C. APPLICATIONS WITHDRAWN BEFORE PUBLIC HEARING NOTICE

Withdrawal of an application by the applicant before advertisement of any public hearing and before any required signs have been posted on the subject property shall be considered a termination of the application. Although no fees shall be refunded, re-application in such cases shall not be subject to the 12-month waiting period.

D. APPLICATIONS WITHDRAWN AFTER PUBLIC HEARING NOTICE

Postponement requests and withdrawals of applications that occur after advertisement of any public hearing or after any required signs have been posted on the subject property shall be treated the same as a denied application. Application processing shall terminate upon receipt of written notice from the applicant or owner. Re-application shall be subject to a 12-month waiting period unless a waiver is granted in accordance with Section 3.1.12B of this Chapter.

ART. 3.2 COMPREHENSIVE PLAN AMENDMENTS

§3.2.1 APPLICATION FILING

Applications for amendments to the Comprehensive Plan shall be submitted by individuals or groups of individuals to the Planning Director on forms available in the Planning Department.

§3.2.2 PUBLIC HEARING NOTICE

Newspaper notice of public hearings on Comprehensive Plan amendments shall be provided at least 30 calendar days before the hearing. Newspaper and Parties in Interest notice shall be provided in accordance with Section 3.1.6 of this Chapter.

§3.2.3 PLANNING DIRECTOR ■ REVIEW AND REPORT

The Planning Director shall review each proposed Comprehensive Plan amendment in light of the Approval Criteria of Section 3.2.6 of this Chapter and, if deemed necessary, distribute the application to other agencies and reviewers. Based on the results of those reviews, the Planning Director shall provide a report on the proposed amendment to the Planning Commission. The Planning Director shall have at least 30 calendar days to conduct required reviews.

§3.2.4 PLANNING COMMISSION ■ REVIEW AND RECOMMENDATION

The Planning Commission shall review the proposed amendment and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve or deny the proposed amendment, based on the Approval Criteria of Section 3.2.6.

§3.2.5 COUNTY COUNCIL ■ HEARING AND DECISION

After receiving the recommendations of the Planning Commission, the County Council shall hold at least 1 public hearing and, any time after the close of the public hearing, act to approve, approve with conditions or deny the proposed Comprehensive Plan amendment, based on the Approval Criteria of Section 3.2.6. A simple majority vote of County Council members present and voting shall be required to approve the amendment.

§3.2.6 APPROVAL CRITERIA

Comprehensive Plan Amendments may be approved by the County Council only if they determine that the proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan and that any one of the following criteria has been met:

- A. There was a significant error in the original Comprehensive Plan adoption;
B. In adopting the Comprehensive Plan, the County Council failed to take into account facts, projections or trends that were reasonably foreseeable to exist in the future;
C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption; or
D. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary.

§3.2.7 FINAL ACTION

Comprehensive Plan Amendments shall be adopted by ordinance.

§3.2.8 NOTICE OF DECISION

Following final action by the County Council, the Planning Director shall be responsible for providing the applicant with written notice of the decision.

ART. 3.3 ZONING AND LAND DEVELOPMENT REGULATIONS TEXT AMENDMENTS

§3.3.1 APPLICATION FILING

Applications for amendments to the text of this Ordinance shall be submitted to the Planning Director on forms available in the Planning Department.

§3.3.2 PUBLIC HEARING NOTICE

Newspaper and Party in Interest notice of the County Council's public hearing shall be provided in accordance with the requirements of Section 3.1.6. Newspaper notice of a public hearing regarding any proposed amendments to Chapter 8, Subdivision Regulations, shall be made at least thirty (30) calendar days prior to a public hearing on any proposed amendments.

§3.3.3 PLANNING DIRECTOR ■ REVIEW AND REPORT

The Planning Director shall review each proposed text amendment in light of the Approval Criteria of Section 3.3.6 and provide a report to the Planning Commission. The Planning Director shall have at least thirty (30) calendar days to conduct required reviews.

§3.3.4 PLANNING COMMISSION ■ REVIEW AND RECOMMENDATION

The Planning Commission shall review the proposed amendment and take action by majority vote of the entire membership, recommending that the County Council approve or deny the proposed amendment. The Planning Commission's recommendation shall be based on the Approval Criteria of Section 3.3.6. The Planning Commission shall submit its recommendation to the County Council within thirty (30) calendar days of the Planning Commission meeting at which the amendment was introduced.

§3.3.5 COUNTY COUNCIL ■ HEARING AND DECISION

After receiving the recommendation of the Planning Commission, the County Council shall hold at least 1 public hearing, and any time after the close of the public hearing, take action to approve, approve with modifications or deny the proposed amendment based on the Approval Criteria of Section 3.3.6. A simple majority vote of County Council members present and voting shall be required to approve the amendment.

§3.3.6 APPROVAL CRITERIA

Text amendments to this Ordinance may be approved if the following approval criteria have been met:

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

§3.3.7 FINAL ACTION

Text amendments shall be adopted by ordinance.

§3.3.8 NOTICE OF DECISION

Following final action by the County Council, the Planning Director shall be responsible for providing the applicant with written notice of the decision.

§3.3.9 PENDING TEXT AMENDMENTS

No application for a Zoning Permit, Building Permit or Certificate of Occupancy shall be accepted for property within any area involved in or affected by a pending Ordinance text amendment if the Zoning Permit, Building Permit or Certificate of Occupancy would allow uses or activities that would be forbidden under the proposed amendment. This prohibition on acceptance of applications shall apply from the date that the application is filed until action on the amendment is taken by County Council.

ART. 3.4 ZONING MAP AMENDMENTS (REZONINGS)**§3.4.1 APPLICATION FILING**

- A. Applications for amendments to the official zoning map (rezonings) shall be submitted to the Planning Director on forms available in the Planning Department.
- B. Upon submission of a rezoning application, no additional rezoning applications shall be accepted for the subject property until the original application has been withdrawn or the County Council has rendered its final decision and all applicable time limits on refile have expired.

§3.4.2 PUBLIC HEARING NOTICE

Newspaper, Neighbor, Parties in Interest, and Posted notice of the County Council's public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter

§3.4.3 PLANNING DIRECTOR ■ REVIEW AND REPORT

The Planning Director shall review each proposed zoning map amendment in light of the Approval Criteria of Section 3.4.6, and if deemed necessary, distribute the application to other agencies and reviewers. Based on the results of those reviews, the Planning Director shall provide a report on the proposed amendment to the Planning Commission. The Planning Director shall have at least 30 working days to conduct required reviews.

§3.4.4 PLANNING COMMISSION ■ REVIEW AND RECOMMENDATION

After receiving the recommendation of the Planning Commission, the County Council shall hold at least 1 public hearing, and any time after the close of the public hearing, take action to approve or deny the proposed zoning map amendment based on the Approval Criteria of Section 3.4.6 of this Chapter. A simple majority vote of County Council members present and voting shall be required to approve the amendment. Zoning map amendments shall not be approved "with conditions" except Planned Developments or property developments under the South Carolina Local Government Development Agreement Act (1993) as amended.

§3.4.5 COUNTY COUNCIL ■ HEARING AND DECISION

After receiving the recommendation of the Planning Commission, the County Council shall hold at least 1 public hearing, and any time after the close of the public hearing, take action to approve or deny the proposed zoning map amendment based on the Approval Criteria of Section 3.4.6 of this Chapter. A simple majority vote of County Council members present and voting shall be required to approve the amendment. Zoning map amendments shall not be approved "with conditions" except Planned Developments or property developments under the South Carolina Local Government Development Agreement Act (1993) as amended.

§3.4.6 APPROVAL CRITERIA

Zoning map amendments may be approved only if the proposed amendment corrects an error or

inconsistency, meets the challenge of some changing condition in the area, or if all of the following criteria are met:

- A. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;
- B. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;
- C. The County and other service providers will be able to provide adequate water and sewer supply, stormwater facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;
- D. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, stormwater management, wildlife and natural resources; and
- E. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access, and the presence of natural resources and amenities.

COMMENTARY

This provision does not require that the Applicant submit a special study in every instance of a zoning map amendment request

§3.4.7 FINAL ACTION

Zoning map amendments shall be adopted by ordinance.

§3.4.8 NOTICE OF DECISION

Following final action by the County Council, the Planning Director shall be responsible for providing the applicant with written notice of the decision and for revising the Official Zoning Map, if the amendment was adopted.

ART. 3.5 PLANNED DEVELOPMENT**§3.5.1 DESCRIPTION**

A "Planned Development," as defined by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, Code of Laws of South Carolina, Title 6, Chapter 29, is a type of zoning district (PD) and a type of development plan. PD zoning districts are inextricably linked to Planned Development plans, in that no rights of development apply to a PD zoning designation other than those of the approved Planned Development plan

§3.5.2 INTENT

The PD, Planned Development, district regulations of this article are intended to encourage innovative land planning and site design that ensures natural resource and environmental protection, high-quality appearance, open space preservation, the provision of amenities and other county goals by:

- A. Reducing or eliminating the inflexibility that sometimes results from strict application of zoning standards that were designated primarily for development on individual lots;
- B. Allowing greater freedom in selecting the means to provide access, light, open space and design amenities; and
- C. Promoting quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations and land use arrangements.

§3.5.3 RESULTS

By allowing more flexibility than base zoning districts, the PD district is intended to result in:

- A. Greater choice in the type of environment and living units available to the public;
- B. More open space;
- C. A creative approach to the use of land and related physical development;
- D. An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs; and
- E. Implementation of the *Comprehensive Plan*.

§3.5.4 MINIMUM SITE AREA

The minimum site area for a Planned Development shall be one acre.

§3.5.5 PLANNED DEVELOPMENT PROCEDURE

This procedure involves a pre-application conference and approval of a PD development plan and PD zoning map amendment.

A. PRE-APPLICATION CONFERENCE

Before submitting a PD Development Plan for a Planned Development, the applicant shall confer with the Planning Director and any other officials designated by the Planning Director. The purpose of this pre-application conference is to discuss the proposal and the applicable development review and approval procedures.

B. PD DEVELOPMENT PLAN**1. Application**

After the required pre-application conference, a complete application for PD Development Plan approval must be submitted to the Planning Director on a form established by the Planning Director. The PD Development Plan application shall include a plan drawn to engineer's scale for the entire area of the proposed Planned Development.

2. Public Hearing Notice

Newspaper, Neighbor, Parties in Interest, and Posted notice of the County Council's public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

3. Planning Director ■ Review and Report

The Planning Director shall prepare a staff report that reviews the PD Development Plan application in light of the underlying zoning district standards contained in Chapter 4 of this Ordinance, and all other applicable development standards and planning policies.

4. Planning Commission ■ Review and Recommendation

The Planning Commission shall review the proposed PD Development Plan and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve, approve with conditions or deny the proposed development plan. The Planning Commission's recommendation shall be based on the Approval Criteria of Section 3.5.5.B.6. The Planning Commission shall submit its recommendation to the County Council within 30 calendar days of the Planning Commission meeting at which the PD Development Plan was introduced. At any time prior to action by the Planning Commission, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings and the Planning Director shall represent the Planning Staff. A majority vote of the entire Planning Commission membership in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this Ordinance. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.

5. County Council ■ Hearing and Decision

After receiving the recommendation of the Planning Commission, the County Council shall hold at least 1 public hearing, and any time after the close of the public hearing, take action to approve, approve with conditions or deny the proposed PD Development Plan based on the Approval Criteria of Section 3.5.5.B.6 of this Chapter. If the County Council takes action to approve the PD Development Plan, it shall establish required time-frames for development of the entire Planned Development and its individual phases, if any.

6. Approval Criteria

Applications for PD Development Plan approval may be approved only if the County Council determines that the following criteria are met:

- a. The PD Development Plan complies with the standards contained in this Ordinance;
- b. The development is consistent with the *Comprehensive Plan* and other adopted policy documents; and
- c. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

7. Effect of Approval: Lapse of Approval

Approval of a PD Development Plan shall confer upon the applicant the right

to develop the subject property in accordance with the approved PD Development Plan. The right to develop in accordance with an approved PD Development Plan shall lapse and be of no further effect if Zoning Permits for all development shown on the PD Development Plan have not been obtained within the time-frame established by the County Council during review and approval of the PD Development Plan. In the event of such lapse of approval, the PD Development Plan and PD zoning classification shall be of no effect, and the property shall be developed solely in accordance with the underlying zoning classification. In the event of lapse of approval pursuant to this subsection, the Planning Director shall initiate a rezoning application to remove the PD zoning district designation from the property.

C. PD ZONING MAP AMENDMENT

After approval of a PD Development Plan, or concurrently with the processing of a PD Development Plan, a Zoning Map Amendment request for PD zoning may be reviewed and approved. PD zoning requests shall be processed in accordance with the Zoning Map Amendment procedures of Article 3.4.

§3.5.6 IDENTIFICATION OF ZONING MAPS

Approved PDs shall be indicated on the official zoning map.

§3.5.7 COMPLIANCE WITH OTHER REGULATIONS

Unless expressly stated in this section or approved at the time of a Planned Development approval, all applicable standards of this Ordinance shall apply to development within a Planned Development. Planned Developments may provide for variations from other ordinances and the regulations of other established zoning districts concerning use, setbacks, lot area, density, bulk and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare.

A proposed development that is applying for a higher density than the base zoning district allows should meet the following criteria:

- A. A minimum percentage of the property should be placed in open space. This open space should be located to preserve any significant resources.
- B. The application should identify resources including:
 1. Agricultural soils and active farmland;
 2. Buffer areas between active farmland and existing/planned future non-farm development;
 3. Wetlands;
 4. Mature trees;
 5. Land adjacent to preserved farmland on neighboring properties;
 6. Scenic views;
 7. Water access and shoreline buffers; and
 8. Habitat of species designated as of federal, state and local concern.
- C. Designated open space can be used for farming, forestry, passive recreation, and limited forms of active recreation (golf courses, horse riding trails, etc)

- H. Will not dominate the immediate neighborhood.

§3.6.6 FINDINGS OF FACT

The decision of the Board of Zoning Appeals shall be accompanied by specific, written findings of fact and conclusions of law clearly stating the reason for the decision. Those written findings shall be delivered to parties in interest by certified mail and permanently filed in the office of the Planning Director.

§3.6.7 NOTICE OF DECISION

Within 10 days after a final decision is made by the Board of Zoning Appeals, copies of the written decision shall be sent to the applicant, mailed to all parties in interest, published once in a newspaper of general circulation in the County, and filed in the office of the Planning Director, where it shall be available for public inspection during regular office hours.

§3.6.8 APPEALS

Any person with a substantial interest in a decision of the Board of Zoning Appeals or any officer, board, or bureau of the County may appeal a final decision of the Board of Zoning Appeals to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.

§3.6.9 LAPSE OF APPROVAL

An approved Special Exception shall lapse and be of no further effect 6 months after the date that the Special Exception was approved by the Board of Zoning Appeals unless a complete application of a Zoning Permit is submitted in accordance with Article 3.8, or if no Zoning Permit is required, unless construction or development has commenced and is being diligently pursued.

ART. 3.7 SITE PLAN REVIEW

§3.7.1 APPLICABILITY

Except as expressly exempted in Section 3.7.2, the Site Plan Review procedures shall apply to: (A) new development, redevelopment and property improvements that increase by more than 25 percent the number of parking spaces, the area devoted to vehicular use areas or the gross floor area of buildings; and (B) any change in use to a more intensive use, as determined by the Planning Director. The entire site shall be brought into compliance with all applicable Ordinance standards at the time of Site Plan Review.

§3.7.2 EXEMPTIONS

Applications for placement of manufactured housing units and proposals for single-family residential development on existing approved and recorded plats shall be expressly exempt from the Site Plan Review procedures of this Section.

§3.7.3 APPLICATIONS

Applications for Site Plan Review shall be submitted to the Planning Director on forms available in the Planning Department.

§3.7.4 REVIEW AND ACTION ■ SITE PLAN REVIEW COMMITTEE

The Site Plan Review Committee shall review each Site Plan application in light of the applicable Approval Criteria of Section 3.7.5 and act to approve or deny the Site Plan application. The Site Plan Review Committee consists of representatives from the Planning Department, Department of Public Works, South Carolina Department of Health and Environmental Control (DHEC),

The completed application will be presented to the Planning Commission by staff and action taken in compliance with Section 3.5.5.B.6 and the *Comprehensive Plan*.

ART. 3.6 SPECIAL EXCEPTIONS

§3.6.1 APPLICATION FILING

Applications for Special Exceptions shall be submitted to the Planning Director on forms available in the Planning Department. All proposed Special Exception uses, except placement of Manufactured Housing, shall satisfy the Site Plan Review process, including schematic layouts of building sites, parking areas, holding basins and buffers, prior to the report prepared by the Planning Director pursuant to Section 3.6.3 of this Chapter.

§3.6.2 PUBLIC HEARING NOTICE

Newspaper, Neighbor, Parties in Interest and Posted notice of the Board of Zoning Appeals' public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

§3.6.3 PLANNING DIRECTOR ■ REVIEW AND REPORT

The Planning Director shall review each proposed Special Exception in light of the Approval Criteria of Section 3.6.5 of this Chapter, and if deemed necessary, distribute the application to other agencies and reviewers. Based on the results of those reviews, the Planning Director shall provide a report on the proposed Special Exception to the Board of Zoning Appeals.

§3.6.4 BOARD OF ZONING APPEALS ■ HEARING AND DECISION

The Board of Zoning Appeals shall hold at least 1 public hearing on the proposed Special Exception and within a reasonable time following the close of the public hearing, act to approve, approve with conditions or deny the proposed Special Exception based on the Approval Criteria of Section 3.6.5 of this Chapter.

§3.6.5 APPROVAL CRITERIA

Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use:

- A. Is consistent with the recommendations contained in the *Charleston County Comprehensive Plan*;
- B. Complies with all applicable standards of this Ordinance, including any use conditions or zoning district standards;
- C. Is consistent with the character of the underlying zoning district, as indicated in the zoning district "Description";
- D. Is compatible with existing uses in the vicinity and will not adversely affect the welfare of the immediate community;
- E. Where applicable, will not be hazardous, detrimental or disturbing to surrounding land uses;
- F. Where applicable, will be developed in a way that will preserve and incorporate any important natural features;
- G. Will not be contrary to the public health, safety and welfare; and

Department of Transportation, Corps of Engineers, and Office of Coastal Resource Management and other departmental representatives as deemed necessary by the Planning Director, each of whom addresses the issues relevant to their respective department's responsibilities.

§3.7.5 APPROVAL CRITERIA

A Site Plan application may not be approved unless the Planning Director finds that the proposed project complies with all applicable provisions of this Ordinance.

§3.7.6 APPEALS

Appeals shall be processed in accordance with the procedures of Article 3.13 of this Chapter.

§3.7.7 AMENDMENTS

The procedure for amending a Site Plan shall be the same as required for the original approval.

§3.7.8 EXPIRATION AND LAPSE OF APPROVAL

Property owners shall have 12 months from the date of approval of a Site Plan to secure a Zoning Permit to carry out the proposed improvements. If a Zoning Permit has not been obtained within 12 months of the date of Site Plan approval, the Site Plan shall lapse and be of no further effect.

ART. 3.8 ZONING PERMITS

§3.8.1 APPLICABILITY

Except as expressly exempted in Section 3.8.2 of this Chapter, a Zoning Permit shall be required before any of the following activities:

- A. The issuance of a building permit under the Charleston County Building Code;
- B. Excavation preparatory to constructing a structure for which a building permit is required;
- C. Improving any zoning lot by grading, filling, or surfacing, or by constructing a driveway in conjunction with the construction of a single family residence, or by constructing or enlarging parking areas containing more than 6 parking spaces.
- D. Change in the use classification of any part of a structure or lot, including any increase in the number of families or dwelling units occupying a building or lot;
- E. Installation of any sign (on-premises or off-premises);
- F. Moving of any house or mobile home;
- G. Prior to obtaining a business license; or
- H. Any earth disturbing activity, including clearing and grubbing.

§3.8.2 EXEMPTIONS

A. AGRICULTURE

A Zoning Permit shall not be required with respect to any parcel of land being used for a bona fide, principal agricultural use as of April 21, 1999, including: farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, animal and

poultry husbandry, forestry, and other uses or enterprises customarily carried on in the field of general agriculture, including the necessary accessory uses for packing, treating, or storing of produce, in any zoning district. The operation of any accessory use shall be secondary to that of the normal agricultural activity.

B. UTILITY LINES

A Zoning Permit shall not be required for a service connection with established electric distribution or transmission lines, water lines, sewer, gas or other pipelines, provided that such facilities shall comply with all other applicable standards of this Ordinance. Installation of new main or distribution trunk lines for water, sewer or gas shall not be exempt.

C. SUBDIVISION ROADS AND UTILITIES

A Zoning Permit shall not be required for grading, drainage, or the construction of roads or utilities in a subdivision, provided that a Preliminary Plat for the subject subdivision has received approval in accordance with this Ordinance.

§3.8.3 APPLICATION FILING

Applications for Zoning Permits shall be filed with the Planning Director on forms available in the Planning Department, which shall include the following items:

- A. A site plan drawn to engineer's scale that shows driveways serving single family residences.
- B. Proposed construction, including accessory uses, shall be shown on the site plan. Proposed construction, if occurring on more than one abutting lot of record, shall not be placed on property lines and must meet all setback requirements.
- C. An approved tree survey where required by this Ordinance unless the applicant provides a signed statement indicating no protected trees will be affected.
- D. An approved recorded plat for Commercial, Multi-Family, Office, Industrial and other non-residential uses.

§3.8.4 PLANNING DIRECTOR'S REVIEW AND ACTION

- A. When an application is made for a Zoning Permit for improvements and uses that comply with all requirements of this Ordinance, the Planning Director shall issue a Zoning Permit and return a signed copy of the application, including plan, to the applicant within ten (10) working days of receipt of the application.
- B. When the Planning Director receives a Zoning Permit application for improvements or uses that do not comply with all requirements of this Ordinance, the Planning Director shall deny the Zoning Permit application, and within 10 days of receipt of the application, return the application, including plan, to the applicant along with written notice of the denial. The written notice shall state the reasons for the denial and cite the sections of this Ordinance with which the application does not comply.
- C. When a Zoning Permit application includes a request for a Variance or an Appeal of an Administrative Decision, the Planning Director shall transmit such application, together with all supporting information, within thirty (30) working days of receipt of the application, to the Board of Zoning Appeals for their review. Upon receipt of a

written order from the Board of Zoning Appeals, the Planning Director shall complete the ordered action within ten (10) working days of receipt of the order.

§3.8.5 EFFECT OF PERMIT ISSUANCE

- A. After a Zoning Permit is issued for construction requiring a building permit, the Building Inspection Services Director shall issue a building permit when the requirements of the Building Codes have been met.
- B. After a Zoning Permit is issued for a use or construction not requiring a building permit, the applicant may proceed to carry out the improvement described in the approved Zoning Permit application.

§3.8.6 LAPSE OF APPROVAL

- A. A Zoning Permit issued for construction that requires a building permit shall lapse and be of no further effect if a building permit is not issued within 6 months of the date of issuance of the Zoning Permit.
- B. A Zoning Permit issued for use or construction that does not require a building permit shall lapse and be of no further effect if the authorized development has not commenced within 6 months, or if after the development has commenced, the work is suspended or abandoned for a period of more than 1 year.
- C. Zoning Permit extensions, for periods of up to 90 days, shall be approved by the Planning Director. No more than six, 90-day extensions will be allowed. An application for a Zoning Permit extension shall be submitted to the Planning Director prior to the expiration of the Zoning Permit.

§3.8.7 ADMINISTRATIVE PERMITS

A. TEMPORARY ZONING PERMITS

1. The Planning Director may issue a Temporary Zoning Permit not to exceed a one-year period, provided such uses are in compliance with and are authorized by this Ordinance. Permits for permanent installation shall be obtained simultaneously with the Temporary Zoning Permit.
2. Temporary Zoning Permits may be issued for temporary installation of the following if located on the same zoning lot as the permanent installation:
 - a. Manufactured housing unit installation to be used as a residence while the permanent residential structure is being built;
 - b. Temporary office for construction office or security guard quarters;
 - c. Temporary structure for commercial use while construction of the permanent structure is in progress; and
 - d. Temporary power permits for construction of permitted uses.

B. RENEWAL OF TEMPORARY ZONING PERMITS

1. Renewal of Temporary Zoning Permits may be granted for 1 additional year when construction is being diligently pursued, and it is evident that progress is being made in construction. Extensions beyond the renewal shall be processed as a Special Exception.
2. The temporary use of a manufactured housing unit as an accessory dwelling unit as per Chapter 6 of this Ordinance may be renewed annually subject to the criteria listed in Section 6.6.1, *Accessory Uses and Structures Allowed*, of Article 6.6 Temporary Uses.
3. Administrative review and renewal of a Special Exception for an accessory dwelling unit shall occur every 5 years and will be contingent upon confirmation by the Planning Director that the structure complies with the accessory dwelling provisions of this Ordinance.

C. MINOR REPAIR PERMITS

If an application for a Zoning Permit is to effect only minor repairs, the Planning Director shall be authorized to waive the requirement for an approved plat, site plan and/or septic tank approval. The work to be performed shall be clearly defined in the Zoning Permit.

D. EMERGENCY PERMITS

1. **Individual**
When a use, structure or building has been damaged or destroyed by fire, flood, wind or other act of God, and strict compliance with Zoning Permit requirements will impair the health and safety of the affected individuals or the security of the premises, the Planning Director may declare an emergency condition and grant a temporary Administrative Permit in accordance with the following requirements:
 - a. If the use, structure or building complies with all applicable requirements of this Ordinance, a non-renewable, temporary Administrative Permit shall be issued for a period not to exceed 1 year.
 - b. If the use, structure or building is a legal nonconformity, and less than 50 percent of the appraised value has been damaged or destroyed, a non-renewable, temporary Administrative Permit shall be issued for a period not to exceed 1 year.
 - c. If the use, structure or building is a legal nonconformity, and 50 percent or more of the appraised value has been damaged or destroyed, only emergency housing or the use of manufactured housing units for the conduct of emergency business operations while relocation efforts are in progress shall be allowed. The non-renewable, temporary Administrative Permit shall be issued for a period not to exceed 6 months.

2. Community

Where a major disaster affects the health, safety or welfare of the general public and compliance with Zoning Permit requirements will delay remedial action, the Planning Director shall be authorized, upon approval of the County Administrator, to waive Zoning Permit requirements for a specified period of time.

ART. 3.9 CERTIFICATES OF OCCUPANCY

§3.9.1 APPLICABILITY

No structure or zoning lot or part thereof for which a Zoning Permit has been issued shall be used or occupied until the Building Inspection Services Director has, after final inspection, issued a certificate of occupancy indicating that the use or structure complies with all applicable requirements of the Zoning Permit and this Ordinance. This Certificate of Occupancy may be combined with or made a part of the Certificate of Occupancy required under the Building Code. The issuance of a Certificate of Occupancy shall not be construed as waiving any provision of this Ordinance or the applicable Zoning Permit.

§3.9.2 UTILITY CONNECTIONS

- A. Electric or gas utility companies or cooperatives shall not provide their respective utility until receipt of an approved Certificate of Occupancy.
- B. Temporary electrical power permits shall require authorization from the Planning Director prior to such services being provided by the utility companies.

ART. 3.10 ZONING VARIANCES

§3.10.1 APPLICABILITY; LIMITATIONS

The Board of Zoning Appeals shall be authorized to approve Zoning Variances to any zoning-related dimensional, design or performance standard set forth in this Ordinance, provided that the Approval Criteria of Section 3.10.6 are met and provided that such Zoning Variance does not have the effect of:

- A. Permitting a use, activity, business or operation that is not otherwise allowed by the Use Regulations of the underlying zoning district;
- B. Allowing the physical extension of a nonconforming use, except as expressly allowed in Chapter 10;
- C. Increasing the density of a residential use above that permitted by the underlying district;
- D. Varying the sign regulations of this Ordinance;
- E. Varying or waiving the Subdivision Regulations contained in Chapter 8; or
- F. Varying or waiving any other standard of this Ordinance that is expressly stated as being ineligible for a Zoning Variance.

§3.10.2 APPLICATION FILING

Applications for Zoning Variances, together with a Zoning Permit Application, including a copy of the recorded plat for the property for which the Variance is requested, shall be submitted to the Planning Director on forms available in the Planning Department. All applications for zoning variances for commercial, industrial, and institutional developments shall submit a site plan for Site Plan Review prior to submitting the application for the variance.

§3.10.3 PUBLIC HEARING NOTICE

Newspaper, Neighbor, Parties in Interest and Posted notice of the Board of Zoning Appeals' public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

§3.10.4 PLANNING DIRECTOR'S REVIEW AND REPORT

The Planning Director shall review each proposed Zoning Variance in light of the Approval Criteria of Section 3.10.6, and if deemed necessary, distribute the application to other agencies and reviewers. Based on the results of those reviews, the Planning Director shall provide a report on the proposed Zoning Variance to the Board of Zoning Appeals.

§3.10.5 BOARD OF ZONING APPEALS' HEARING AND DECISION

The Board of Zoning Appeals shall hold at least 1 public hearing on the proposed Zoning Variance, and within a reasonable time after the close of the public hearing, act to approve, approve with conditions or deny the proposed Zoning Variance based on the Approval Criteria of Section 3.10.6. A quorum of the Board of Zoning Appeals shall be achieved when the number of members in attendance equals more than ½ of the total membership of the Board of Zoning Appeals. At least ¾ of the members present and voting shall be required to approve a Zoning Variance.

§3.10.6 APPROVAL CRITERIA

The Board of Zoning Appeals has the authority to hear and decide appeals for a Zoning Variance when strict application of the provisions of this Ordinance would result in unnecessary hardship. A Zoning Variance may be granted in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing the following findings:

- A. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- B. These conditions do not generally apply to other property in the vicinity;
- C. Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
- D. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the zoning district will not be harmed by the granting of the variance;
- E. The Board of Zoning Appeals shall not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map;
- F. The need for the variance is not the result of the applicant's own actions; and

- G. Granting of the variance does not substantially conflict with the *Comprehensive Plan* or the purposes of this Ordinance.

§3.10.7 FACTORS NOT TO BE CONSIDERED

The fact that property may be utilized more profitably if a Zoning Variance is granted shall not be considered grounds for granting a Zoning Variance.

§3.10.8 FINDINGS OF FACT

The decision of the Board of Zoning Appeals shall be accompanied by specific, written findings of fact and conclusions of law clearly stating the reasons for the decision. Those written findings shall be delivered to parties in interest by certified mail and permanently filed in the Office of the Planning Director.

§3.10.9 NOTICE OF DECISION

Within 10 days after a final decision is made by the Board of Zoning Appeals, copies of the written decision shall be sent to the applicant, mailed to all parties in interest, published once in a newspaper of general circulation in the County, and filed in the Office of the Planning Director, where it shall be available for public inspection during regular office hours.

§3.10.10 APPEALS

Any Person with a substantial interest in a decision of the Board of Zoning Appeals or any officer, board, or bureau of the County may appeal a final decision of the Board of Zoning Appeals to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.

§3.10.11 LAPSE OF APPROVAL

An approved Zoning Variance shall lapse and be of no further effect 12 months after the date that the Zoning Variance was approved by the Board of Zoning Appeals unless a complete application of a Zoning Permit is submitted in accordance with Article 3.8 of this Chapter, or if no Zoning Permit is required, unless construction or development has commenced and is being diligently pursued.

ART. 3.11 WRITTEN INTERPRETATIONS**§3.11.1 APPLICATION FILING**

Applications for Written Interpretations of this Ordinance shall be submitted to the Planning Director on forms available in the Planning Department.

§3.11.2 PLANNING DIRECTOR'S REVIEW AND DECISION

Within 30 working days of receipt of a complete application for a Written Interpretation, the Planning Director shall: (1) review and evaluate the application in light of this Ordinance, the *Comprehensive Plan* and any other relevant documents; (2) consult with other staff as necessary; and (3) render a written interpretation.

§3.11.3 FORM

The interpretation shall be provided to the applicant in writing and shall be filed in the official record of interpretations.

§3.11.4 OFFICIAL RECORD OF INTERPRETATIONS

An official record of interpretations shall be kept on file in the Planning Department. The record of interpretations shall be available for public inspection in the Planning Department during normal business hours.

§3.11.5 APPEALS

Appeals of the Planning Director's written interpretation shall be taken to the Board of Zoning Appeals in accordance with procedures of Article 3.13. If the appeal results in a change of interpretation, the new interpretation shall be filed in the official record of interpretations.

ART. 3.12 PUBLIC PROJECT REVIEW**§3.12.1 APPLICABILITY**

Public Project Review shall apply to all public projects except those expressly exempt under S. C. Code §§ 29-540.

§3.12.2 APPLICATION FILING

Applications for Public Project Review shall be submitted to the Planning Director on forms available in the Planning Department.

§3.12.3 PUBLIC HEARING NOTICE

Newspaper and Parties in Interest notice of the Planning Commission meeting shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

§3.12.4 PLANNING DIRECTOR'S REVIEW AND REPORT

The Planning Director shall review each proposed Public Project in light of the *Comprehensive Plan*. Based on the results of that review, the Planning Director shall provide a report on the proposed Public Project to the Planning Commission.

§3.12.5 PLANNING COMMISSION'S REVIEW AND DECISION

- A. The Planning Commission shall review the Public Project to determine whether it is consistent with the *Comprehensive Plan*. This determination shall include written findings. The Planning Commission may hold one or more public hearings in accordance with the requirements of Section 3.1.6 prior to completing their review.
- B. If the Planning Commission finds the proposal conflicts with the *Comprehensive Plan*, it shall forward its written findings and an explanation of its reasoning to the public entity proposing the project.
- C. If the public entity proposes to proceed with its public project in conflict with the *Comprehensive Plan*, then the entity must publicly state its intention to proceed and its reasons for proceeding. The public entity must provide written notice of its intention to proceed and its reasons to the Planning Commission, as well as public notice in a publication of general circulation at least 30 calendar days in advance of award of a contract or beginning construction of the proposed public project.

ART. 3.13 APPEALS OF ZONING-RELATED ADMINISTRATIVE DECISIONS**§3.13.1 AUTHORITY**

The Board of Zoning Appeals shall be authorized to hear and decide appeals only on zoning-related matters where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the administration or enforcement of any of the zoning-related regulations of this Ordinance. The Board of Zoning Appeals shall have no authority to hear or decide appeals from administrative decisions made pursuant to the Subdivision Regulations of Chapter 8.

§3.13.2 RIGHT TO APPEAL

Appeals of Administrative Decisions on zoning-related matters may be filed by any officer, board, or bureau of the County, or by any person with a substantial interest in a decision of an administrative official.

§3.13.3 APPLICATION FILING; TIMING

Applications for Appeals of Administrative Decisions on zoning-related matters shall be submitted to the Planning Director on forms available in the Planning Department. Appeals of Administrative Decisions to grant or deny a Zoning Permit shall be filed within 30 calendar days of receiving notice of the action being appealed.

§3.13.4 EFFECT OF FILING

The filing of a complete application for appeal stays all proceedings in furtherance of the action appealed, unless the official whose decision is being appealed certifies to the Board of Zoning Appeals, after the appeal is filed, that because of facts stated in the certification, a stay would cause immediate peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Zoning Appeals or by a court of record.

§3.13.5 RECORD OF ADMINISTRATIVE DECISION

The official whose decision is being appealed shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the action appealed is taken.

§3.13.6 PUBLIC HEARING NOTICE

Newspaper notice and notice to Parties in Interest of the Board of Zoning Appeals' public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

§3.13.7 BOARD OF ZONING APPEALS' REVIEW AND ACTION

- A. The Board of Zoning Appeals shall hold at least 1 public hearing on the appeal, and within a reasonable time following the close of the public hearing, take final action based on the procedures and requirements of this section.
- B. In exercising the appeal power, the Board of Zoning Appeals shall have all the powers of the official from whom the appeal is taken, and the Board of Zoning Appeals may reverse or affirm, wholly or in part, or may modify the decision being appealed.
- C. If the Board of Zoning Appeals determines that it is necessary to obtain additional evidence in order to resolve the matter, it shall remand the appeal to the official from whom the appeal is taken, with directions to obtain such evidence and to reconsider the decision in light of such evidence, and to that end shall have all the

powers of the officer from whom the appeal is taken and may issue or direct issuance of a permit. The Board of Zoning Appeals in execution of the duties specified in this chapter may subpoena witnesses and in case of contempt may certify this fact to the circuit court having jurisdiction.

- D. A quorum of the Board of Zoning Appeals shall be achieved when the number of members in attendance equals more than 1/2 of the total membership of the Board of Zoning Appeals. At least 2/3 of the members present and voting shall be required to reverse any order, requirement, decision, or determination of any administrative officer or agency.

§3.13.8 APPROVAL CRITERIA; FINDINGS OF FACT

An appeal shall be sustained only if the Board of Zoning Appeals finds that the administrative official erred. The decision of the Board of Zoning Appeals shall be accompanied by specific, written findings of fact and conclusions of law clearly stating the reason for the decision. Those written findings shall be delivered to parties in interest by certified mail, published once in a newspaper of general circulation in the County, and permanently filed in the Planning Department.

§3.13.9 APPEALS

Any person with a substantial interest in a decision of the Board of Zoning Appeals or any officer, board, or bureau of the County may appeal a final decision of the Board of Zoning Appeals to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the decision of the Board of Zoning Appeals is mailed.

ART. 3.14 APPEALS OF SUBDIVISION-RELATED ADMINISTRATIVE DECISIONS

§3.14.1 AUTHORITY

The Planning Commission shall be authorized to hear and decide appeals only on subdivision-related matters (including determinations of [subdivision application] incompleteness) where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the administration or enforcement of any of the subdivision regulations of Chapter 8 of this Ordinance.

§3.14.2 RIGHT TO APPEAL

Appeals of Administrative Decisions on subdivision-related matters may be filed by any officer, board, or bureau of the County, or by any person with a substantial interest in a decision of an administrative official.

§3.14.3 APPLICATION FILING; TIMING

Applications for Appeals of Administrative Decisions on subdivision-related matters shall be submitted to the Planning Director on forms available in the Planning Department. Appeals of Administrative Decisions on subdivision matters shall be filed within 30 calendar days of the date of written notice of the decision being appealed.

§3.14.4 EFFECT OF FILING

The filing of a complete application for appeal stays all proceedings in furtherance of the action appealed, unless the official whose decision is being appealed certifies to the Planning Commission, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property. In such case, proceedings shall not be stayed other than by a restraining order, which may be granted by the Planning Commission or by a court of record.

§3.14.5 RECORD OF ADMINISTRATIVE DECISION

The official whose decision is being appealed shall transmit to the Planning Commission all papers constituting the record upon which the action appealed is taken.

§3.14.6 PUBLIC HEARING NOTICE

Newspaper notice of the Planning Commission's public hearing shall be provided in accordance with the requirements of Section 3.1.6 of this Chapter.

§3.14.7 PLANNING COMMISSION REVIEW AND ACTION

- A. The Planning Commission shall hold at least 1 public hearing on the appeal and, within a reasonable time following the close of the public hearing, take final action based on the procedures and requirements of this section. When the appeal relates to a determination of (application) incompleteness, the Planning Commission shall hear and take action on the appeal within fifteen (15) calendar days of the date of the appeal.
B. In exercising the appeal power, the Planning Commission shall have all the powers of the official from whom the appeal is taken, and the Planning Commission may reverse or affirm, wholly or in part, or may modify the decision being appealed.
C. If the Planning Commission determines that it is necessary to obtain additional evidence in order to resolve the matter, it shall remand the appeal to the official from whom the appeal is taken, with directions to obtain such evidence and to reconsider the decision in light of such evidence, and to that end shall have all the powers of the officer from whom the appeal is taken.
D. A quorum of the Planning Commission shall be achieved when the number of members in attendance equals more than 1/2 of the total membership of the Planning Commission. At least 2/3 of the members present and voting shall be required to reverse any order, requirement, decision, or determination of any administrative officer or agency.

§3.14.8 APPROVAL CRITERIA; FINDINGS OF FACT

An appeal shall be sustained only if the Planning Commission finds that the administrative official erred. The decision of the Planning Commission shall be accompanied by specific, written findings of fact and conclusions of law clearly stating the reason for the decision. Those written findings shall be delivered to parties in interest by certified mail and permanently filed in the Planning Department.

§3.14.9 APPEALS

Any person with a substantial interest in a decision of the Planning Commission or any officer, board, or bureau of the county may appeal a final decision of the Planning Commission to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the decision of the Planning Commission is mailed.

CHAPTER 4 | BASE ZONING DISTRICTS

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ART. 4.1 GENERAL

§4.1.1 ESTABLISHMENT OF ZONING DISTRICTS

The following base zoning districts are hereby established:

DISTRICT NAME	COMPREHENSIVE PLAN LAND USE DESIGNATION
AG-25 Resource Management	Resource Management [Agricultural]
AG-15 Agricultural Preservation	Agricultural Preservation [Agricultural]
AG-10 Agricultural Preservation	Agricultural Preservation [Agricultural]
AG-8 Agricultural Preservation	Agricultural Preservation [Agricultural] Rural Agricultural [Rural]
AGR Agricultural/Residential	Agricultural Residential [Agricultural]
RR-3 Rural Residential	Rural Residential [Rural]
RR-1 Rural Residential	Residential/Special Management [Suburban]
RSL Low-Density Suburban Residential	Residential Low Density [Suburban]
RSM Moderate-Density Suburban Residential	Residential Moderate Density [Suburban]
MHS Low-Density Manufactured Housing Subdivision	Residential Low Density [Suburban]
MHP Manufactured Housing Park	Residential Moderate Density [Suburban]
OR Residential Office	Commercial [Suburban]
OG General Office	Commercial [Suburban]
ON Neighborhood Commercial	Commercial [Suburban]
CT Commercial Transition	Commercial [Suburban]
CR-1 Rural Commercial	Commercial [Agricultural]
CR-2 Rural Commercial	Commercial [Rural]
CC Community Commercial	Commercial [Suburban]
I Industrial	Industrial [Rural and Suburban]

§4.1.2 ZONING DISTRICT REFERENCES

References in this Ordinance to "nonresidential" zoning districts shall be construed as references to all base zoning districts beginning with the letters "O" (Office), "C" (Commercial) or "I" (Industrial). References to "residential" zoning districts shall be construed as references to all base zoning districts beginning with the letter "R" and "M". References to "agricultural" zoning districts shall be construed as references to all base zoning districts beginning with the letter "A."

§4.1.3 ZONING DISTRICT HIERARCHY

Under the hierarchy established by this Ordinance, the AG-25 district is the most restrictive base zoning district, while the I district is the least restrictive base zoning district. The table of Section 4.1.1 presents the districts in order, from most to least restrictive. The Planned Development, Overlay and Special Purpose zoning districts are not included in the zoning district hierarchy.

NRM Natural Resource Management
 SPLIT Split
 PD Planned Development (#3?)

ART. 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS

§4.2.1 DENSITY

Density refers to the number of dwelling units per unit of land area. Density is calculated by dividing the number of dwelling units on a site by the gross area (in acres) of highland (including freshwater wetlands) of the site on which the dwelling units are located. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards of this Ordinance shall be met. The maximum density established for a district is not a guarantee that such densities may be obtained, nor shall the inability of a development to achieve the stated maximum density be considered sufficient justification for varying or otherwise adjusting other density, intensity or dimensional standards of this Ordinance.

§4.2.2 LOT AREA

A. MEASUREMENT

Lot area refers to the horizontal land area within lot lines, including freshwater wetlands.

B. EXCEPTIONS

No zoning permit, building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements of this Ordinance except in the following cases:

1. Nonconforming lots may be used in accordance with the provisions contained in Chapter 10 of this Ordinance.
2. Utilities using land or an unoccupied building covering less than 1,000 square feet of site area shall be exempt from minimum lot area standards.

C. ABSENCE OF SEWER OR WATER

In the absence of public water or public sewer, no zoning permit or building permit shall be issued until the lot meets all applicable requirements of this Ordinance and the South Carolina Department of Health and Environmental Control (DHEC).

§4.2.3 SETBACKS

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.

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 subsection.

1. Trees, shrubbery or other landscape features may be located within any required setback.
2. Fences and walls may be located within any required setback, provided that in residential, office and commercial districts no fence, wall or hedge shall exceed:

- a. 4 feet in height when located within any front or street side setback;
- b. 8 feet in height when located in an interior side or rear setback
3. Driveways may be located in front and street side setbacks.
4. Sidewalks may be located within any required setback.
5. Utility lines, wires and associated structures, such as power poles, may be located within any required setback.
6. Uncovered porches, uncovered steps to building entrances, uncovered patio decks and uncovered balconies may extend up to 5 feet into any required front, rear or street side setback.
7. Openwork fire balconies and fire escapes may extend up to 5 feet into any required side setback.
8. Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to 2 feet into any required setback.
9. Chimneys and flues may extend up to 2 feet into any required setback.
10. Satellite dish antennas may be placed in required rear setbacks.
11. Mechanical equipment, including Heating Ventilation and Air Conditioning (HVAC) equipment, may be extended up to 5 feet into required side or rear setbacks in all zoning districts.

B. CONTEXTUAL SETBACKS

Notwithstanding the front setback requirements of the underlying 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 2 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 underlying zoning district reduces the buildable width of a lot to less than 40 feet, the Planning Director shall be authorized to reduce the required setbacks as much as necessary. However, no setback reduction granted by the Planning Department shall be for more than 15 feet.

D. FRONT SETBACKS ON NARROW STREETS

Where a lot abuts a dedicated street (that has been accepted for street maintenance) with a right-of-way width of less than 50 feet, the required front setback shall be measured from a line measured 25 feet from the center of such right-of-way.

E. 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.

F. 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.

§4.2.4 BUILDING HEIGHT

Building height refers to the vertical distance between the base flood elevation and: 1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof.



A. FENCES OR WALLS

In the case of fences or walls, height shall be measured from ground level on the higher side of the fence or wall.

B. EXCEPTIONS TO HEIGHT LIMITS

Unless otherwise expressly stated, the height limitations of this Ordinance shall not apply to any of the following:

1. Farm buildings in any Agricultural zoning (A) district;
2. Electrical power transmission lines;
3. Belltowers, cupolas, spires, domes, monuments, flagpoles, chimneys, radio/television receiving antennas or chimney flues; or
4. Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building, if such structure does not occupy more than 33 1/3 percent of the area of the roof.

§4.2.5 BUILDING COVERAGE

Building coverage refers to the area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, canopies and the first 2 feet of a roof overhang.

ART. 4.3 AG-25, RESOURCE MANAGEMENT DISTRICT

§4.3.1 DESCRIPTION

The AG-25, Resource Management district implements the Resource Management (Rural Landscape-Agricultural Area) policies of the Comprehensive Plan.

§4.3.2 USE REGULATIONS

Uses are allowed in the AG-25 district in accordance with the Use Regulations of Chapter 6.

§4.3.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and nonresidential development in the AG-25 district shall be subject to the following density, intensity and dimensional standards:

AG-25 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY (1)	1 dwelling unit per 25 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	30 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

(1) On tracts of 100 or more acres, where lots ranging from 1 to 3 acres are created, a bonus of one dwelling shall be allowed on the residual area of the parent tract.

§4.3.4 OTHER REGULATIONS

Development in the AG-25 district shall comply with all other applicable regulations of this ordinance, including the development standards of Chapter 8. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.3.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 requirement of the AG-25 Zoning District.

ART. 4.4 AG-15, AGRICULTURAL PRESERVATION DISTRICT

§4.4.1 DESCRIPTION

The AG-15, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§4.4.2 USE REGULATIONS

Uses are allowed in the AG-15 district in accordance with the Use Regulations of Chapter 6.

§4.4.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-15 district shall be subject to the following density, intensity and dimensional standards:

AG-10 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 10 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. ACHIEVING HIGHEST DENSITY

In order to achieve the highest allowed density of 1 dwelling unit per 5 acres, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.5.4 OTHER REGULATIONS

Development in the AG-10 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.5.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 requirement of the AG-10 Zoning District.

ART. 4.6 AG-8, AGRICULTURAL PRESERVATION DISTRICT

§4.6.1 DESCRIPTION

The AG-8, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) and Rural Agricultural (Rural Landscape-Rural Area) policies of the *Comprehensive Plan*.

§4.6.2 USE REGULATIONS

Uses are allowed in the AG-8 district in accordance with the Use Regulations of Chapter 6.

§4.6.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-8 district shall be subject to the following density, intensity and dimensional standards:

AG-15 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 15 acres
MINIMUM LOT AREA	3 acres
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. DEVELOPMENT ALONG CRITICAL LINE

The area of a parcel in the AG-15 district within 1000 feet of the OCRM Critical Line has a Maximum Density of 1 dwelling unit per 3 acres with a minimum lot area of 3 acres. The remaining acreage of the parcel (more than 1000 feet from the OCRM Critical Line) maintains a density of 1 dwelling unit per 15 acres.

§4.4.4 OTHER REGULATIONS

Development in the AG-15 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.4.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 requirement of the AG-15 Zoning District.

ART. 4.5 AG-10, AGRICULTURAL PRESERVATION DISTRICT

§4.5.1 DESCRIPTION

The AG-10, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§4.5.2 USE REGULATIONS

Uses are allowed in the AG-10 district in accordance with the Use Regulations of Chapter 6.

§4.5.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-10 district shall be subject to the following density, intensity and dimensional standards:

AG-8 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 8 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. ACHIEVING HIGHEST DENSITY

In order to achieve the highest allowed density of 1 dwelling unit per 4 acres, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.6.4 OTHER REGULATIONS

Development in the AG-8 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.6.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 requirement of the AG-8 Zoning District.

ART. 4.7 AGR, AGRICULTURAL/RESIDENTIAL DISTRICT

§4.7.1 DESCRIPTION

The AGR, Agricultural/Residential district implements the Agricultural Residential (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*. The district is intended for application in all settlement areas.

§4.7.2 USE REGULATIONS

Uses are allowed in the AGR district in accordance with the Use Regulations of Chapter 6.

§4.7.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and nonresidential development in the AGR district shall be subject to the following density, intensity and dimensional standards:

AGR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per Acre
MINIMUM LOT AREA	30,000 square feet
MINIMUM LOT WIDTH	100 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

§4.7.4 OTHER REGULATIONS
Development in the AGR district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.7.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999
A one time subdivision creating one lot from a non-conforming 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 requirement of the AGR Zoning District.

§4.7.6 SETTLEMENT AREAS
Settlement areas include small older crossroads communities, family lands, typical suburban style subdivisions, frontage lots along local roads, waterfront developments, and vacant land that has been subdivided for residential use but not yet built upon. The criteria for parcels to qualify for inclusion into a "Settlement Areas" are as follows:

1. Parcel size of 30 acres or less; and
2. Parcel must be located in an AG-8, AG-10, or AG-25 Zoning Districts or adjacent to lands currently zoned AGR; and
3. Parcel must be either within 1,000 feet of an existing AGR Zoning District or show the same obvious spatial characteristics of other existing AGR Zoning Districts in the agricultural area; and
4. A parcel of land may be identified as a Settlement Area as determined by the Planning Director if the property owner can demonstrate by a survey or other legally recorded plats or deeds of their property, as prepared by a registered surveyor in the State of South Carolina that their property has 30 acres or less of high land; and
5. Tax parcels are not located on Wadmalaw Island.

ART. 4.8 RR-3, RURAL RESIDENTIAL DISTRICT

§4.8.1 DESCRIPTION
The RR-3, Rural Residential district implements the Rural Residential (Rural Landscape-Rural Area) policies of the *Comprehensive Plan*.

§4.8.2 USE REGULATIONS
Uses are allowed in the RR-3 district in accordance with the Use Regulations of Chapter 6.

§4.8.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS
A. **DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE**
All residential and nonresidential development in the RR-3 district shall be subject to the following density, intensity and dimensional standards:

RR-3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 3 acres
MINIMUM LOT AREA	30,000 sq. ft.
MINIMUM LOT WIDTH	100 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. **ACHIEVING HIGHEST DENSITY**
In order to achieve the highest allowed density of one dwelling unit per acre, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.8.4 OTHER REGULATIONS
Development in the RR-3 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.8.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999
A one time subdivision creating one lot from a non-conforming 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 RR-3 zoning district.

ART. 4.9 RR-1, RURAL RESIDENTIAL DISTRICT

§4.9.1 DESCRIPTION
The RR-1, Rural Residential district implements the Rural Residential (Rural Landscape-Rural Area) and Residential/Special Management (Suburban Area) policies of the *Comprehensive Plan*.

§4.9.2 USE REGULATIONS
Uses are allowed in the RR-1 district in accordance with the Use Regulations of Chapter 6.

§4.9.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS
All residential and nonresidential development in the RR-1 district shall be subject to the following density, intensity and dimensional standards:

RR-1 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	2.75 dwelling units per acre
MINIMUM LOT AREA	14,500 sq. ft. [1]
MINIMUM LOT WIDTH	90 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

[1] Minimum lot area of 12,500 sq. ft. if water or sewer is available.

§4.9.4 OTHER REGULATIONS
Development in the RR-1 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.9.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999
A one time subdivision creating one lot from a non-conforming 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 RR-1 zoning district.

ART. 4.10 RSL, LOW-DENSITY SUBURBAN RESIDENTIAL

§4.10.1 DESCRIPTION
The RSL, Low-Density Suburban Residential district implements the Residential Low Density (Suburban Area) policies of the *Comprehensive Plan*.

§4.10.2 USE REGULATIONS
Uses are allowed in the RSL district in accordance with the Use Regulations of Chapter 6.

§4.10.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS
A. **DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE**
All residential and nonresidential development in the RSL district shall be subject to the following density, intensity and dimensional standards:

RSL DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	4 dwelling units per acre
MINIMUM LOT AREA	8,000 square feet
MINIMUM LOT WIDTH	80 feet [1]
MINIMUM SETBACKS	
Front/Street Side [2]	25 feet
Interior Side	5 feet
Rear	15 feet
OCRM Critical Line	35 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

[1] 75 feet without public water and/or public sewer.
[2] Front/Street Side Setback reductions of 15 feet may be approved by the Planning Director when deemed compatible with existing development patterns or setbacks shown on approved plats.

B. **EXISTING NEIGHBORHOOD INFILL DEVELOPMENT**
Existing neighborhood infill development shall only apply to subdivisions within the RSL Zoning District involving development within existing neighborhoods and may be approved by the Planning Director when the following conditions are present:

1. The average lot area of a lot shall be no less than the average lot area of the existing residential neighborhood (excluding multi-family dwelling units) measured within 500 feet of the boundary of the proposed subdivision in which the proposed lot is to be created, and in no case shall be smaller than 6,000 square feet, provided that public water and/or sewer service are available;
2. The infill development is a total of five acres or less in total gross acreage;
3. Meets the average lot width to depth ratio contained in this Ordinance; and
4. Each proposed lot meets the minimum lot width requirements for the RSL Zoning District and the minimum setbacks, buffers, cover and height requirements set forth in the RSL Development Standards.

§4.10.4 OTHER REGULATIONS
Development in the RSL district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21,

1999 shall be subject to the provisions of the Waterfront Development Standards contained in Art. 4.22 of this chapter.

§4.10.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 RSL zoning district.

ART. 4.11 RSM, MODERATE-DENSITY SUBURBAN RESIDENTIAL DISTRICT

§4.11.1 DESCRIPTION

The RSM, Moderate-Density Suburban Residential district implements the Residential Moderate Density (Suburban Area) policies of the *Comprehensive Plan*.

§4.11.2 USE REGULATIONS

Uses are allowed in the RSM district in accordance with the Use Regulations of Chapter 6.

§4.11.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and nonresidential development in the RSM district shall be subject to the following density, intensity and dimensional standards:

RSM DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	10 dwelling units per acre
MINIMUM LOT AREA	4,000 square feet
MINIMUM LOT WIDTH	40 feet
MINIMUM SETBACKS	
Front/Street Side	25 feet [1]
Interior Side	5 feet
Rear	10 feet
OCRM Critical Line	35 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	35 feet

[1] Front/Street Side Setback reductions of 15 feet may be approved by the Planning Director when deemed compatible with existing development patterns or setbacks shown on approved plats.

§4.11.4 OTHER REGULATIONS

Development in the RSM district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

ART. 4.12 MHS, LOW-DENSITY MANUFACTURED HOUSING SUBDIVISION

§4.12.1 DESCRIPTION

The MHS, Low-Density Manufactured Home Subdivision district implements the Residential Low

Density (Suburban Area) policies and the housing policies of the *Comprehensive Plan*.

§4.12.2 USE REGULATIONS

Uses are allowed in the MHS district in accordance with the Use Regulations of Chapter 6.

§4.12.3 DEVELOPMENT TYPES; DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and non-residential uses must follow the density, intensity and dimensional standards contained in Article 4.10, RSL, Low-Density Suburban Residential District.

§4.12.4 OTHER REGULATIONS

Development in the MHS district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

§4.12.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming 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 RSL zoning district.

ART. 4.13 MHP, MANUFACTURED HOUSING PARK DISTRICT

§4.13.1 DESCRIPTION

The MHP, Manufactured Housing Park district implements the Residential Moderate Density (Suburban Area) policies of the *Comprehensive Plan*. It is primarily intended to accommodate manufactured housing park developments.

§4.13.2 USE REGULATIONS

Uses are allowed in the MHP district in accordance with the Use Regulations of Chapter 6.

§4.13.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the MHP district shall be subject to the following density, intensity and dimensional standards:

MHP DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	10 dwelling units per acre
MINIMUM PARK AREA	1 acre
MINIMUM SETBACKS	
Front/Street Side	25 feet [1]
Interior Side	5 feet
Rear	10 feet
OCRM Critical Line	35 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	35 feet

[1] Front/Street Side Setback reductions up to 15 feet may be approved by the Planning Director when deemed compatible with existing development patterns or setbacks shown on approved plats.

§4.13.4 OTHER REGULATIONS

Development in the MHP district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

§4.13.5 SUPPLEMENTAL DISTRICT STANDARDS

In addition to all other applicable provisions of this ordinance, manufactured housing parks within the MHP district shall be subject to the following standards:

- A. **AREA PER MANUFACTURED HOUSING UNIT SPACE**
There shall be no less than 4,000 square feet of zoning lot area per manufactured housing unit space.
- B. **SEPARATION OF SERVICE BUILDINGS**
Every service building in a manufactured housing park shall be at least 25 feet from the boundary of any other property in any residential or office zoning district. When a property line is on a natural waterway, a property line setback shall not be required.
- C. **ACCESS ROAD**
Each manufactured housing unit space shall abut an access road that is constructed under the *Charleston County Road Construction Standards* and is not less than 20 feet wide.
- D. **DRAINAGE PLAN**
A drainage plan shall be approved by the Public Works Department prior to the processing of a manufactured housing park development.
- E. **TEMPORARY, ACCESSORY MANUFACTURED HOUSING PARK**
A temporary, accessory manufactured housing park shall be established only in connection with a construction project and shall be discontinued within 60 days after such project is completed. Written approval from the South Carolina Department of Health and Environmental Control (DHEC) shall be obtained prior to the issuance of a Zoning Permit.

ART. 4.14 OR, RESIDENTIAL OFFICE DISTRICT

§4.14.1 DESCRIPTION

The OR, Residential Office district implements the Commercial (Suburban Area) policies of the *Comprehensive Plan*.

§4.14.2 USE REGULATIONS

Uses are allowed in the OR district in accordance with the Use Regulations of Chapter 6.

§4.14.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the OR district shall be subject to the following density, intensity and dimensional standards:

OR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	6,000 square feet
MINIMUM LOT WIDTH	50 feet

OR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM SETBACKS	
Front/Street Side	25 feet
Interior Side	5 feet
Rear	5 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	35 feet

§4.14.4 OTHER REGULATIONS

Development in the OR district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

§4.14.5 SUPPLEMENTAL DISTRICT STANDARDS

In addition to all other applicable provisions of this Ordinance, structures within the OR district shall be subject to the following standards:

- A. **ARCHITECTURAL CHARACTER**
Structures in the OR district shall be compatible with the established architectural character of the neighborhood in which they are located by using a design that is complementary in terms of:
 1. Consistency of roof lines, roof materials and roof colors;
 2. Use of similar proportions in building mass and outdoor spaces;
 3. Similar relationships to the street;
 4. Similar window and door patterns; and
 5. Similar streetscapes including landscaping, light fixtures and other site amenities.
- B. **BUILDING ORIENTATION**
Primary facades and entries shall face the adjacent street.
- C. **BUILDING MATERIALS**
Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form architectural detailing, and color and texture shall be utilized to ensure that enough similarity exists for the building to be compatible despite the differences in materials.
- D. **BUILDING COLORS**
Color shades shall be used to facilitate blending into the neighborhood and unifying the development with its surroundings. The color shades of building materials shall draw from the range of color shades found in structures in the immediate area.

§4.14.6 RESIDENTIAL USES

Residential uses in the OR district shall be subject to the density/intensity and dimensional standards of the RSL district (Article 4.10).

ART. 4.15 OG, GENERAL OFFICE DISTRICT

§4.15.1 DESCRIPTION

The OG, General Office district implements the Commercial (Suburban Area) policies of the Comprehensive Plan.

§4.15.2 USE REGULATIONS

Uses are allowed in the OG district in accordance with the Use Regulations of Chapter 6.

§4.15.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the OG district shall be subject to the following density, intensity and dimensional standards:

OG DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	2,000 square foot
MINIMUM LOT WIDTH	50 feet
MINIMUM SETBACKS	
Front/Street Side	25 feet
Interior Side	5 feet
Rear	5 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	40% of lot
MAXIMUM HEIGHT	35 feet

§4.15.4 OTHER REGULATIONS

Development in the OG district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

ART. 4.16 CN, NEIGHBORHOOD COMMERCIAL DISTRICT

§4.16.1 DESCRIPTION

The CN, Neighborhood Commercial district implements the Commercial (Suburban Area) policies of the Comprehensive Plan.

§4.16.2 USE REGULATIONS

Uses are allowed in the CN district in accordance with the Use Regulations of Chapter 6.

§4.16.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the CN district shall be subject to the following density, intensity and dimensional standards:

CN DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	4,000 square feet
MINIMUM LOT WIDTH	15 feet
MINIMUM SETBACKS	
Front/Street Side	25 feet
Interior Side	10 feet
Rear	10 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	25% of lot
MAXIMUM HEIGHT	35 feet

§4.16.4 OTHER REGULATIONS

Development in the CN district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

§4.16.5 SUPPLEMENTAL DISTRICT STANDARDS

In addition to any other applicable provisions of this ordinance, structures in the CN district shall be subject to the following performance standards:

- A. **FLOOR AREA**
All structures, including accessory structures, shall be limited to a maximum of 5,000 square feet gross floor area, provided that structures between 5,000 and 10,000 square feet gross floor area may be approved in accordance with the Special Exception procedures of Article 3.6. In no case shall the total, combined gross floor area of all principal and accessory structures exceed 10,000 square feet.
- B. **ENCLOSED BUILDINGS**
All commercial activities, excluding accessory gasoline outlets and restaurants, shall be operated entirely within enclosed buildings.
- C. **GASOLINE PUMP NOZZLES**
Accessory gasoline pumps shall be limited to a maximum of 4 nozzles, provided that 5 to 8 nozzles may be approved in accordance with the Special Exception procedures of Article 3.6. In no case shall the number of gasoline nozzles exceed 8.

ART. 4.17 CT, COMMERCIAL TRANSITION DISTRICT

§4.17.1 DESCRIPTION

The CT, Commercial Transition district implements the Commercial (Transition) policies of the Comprehensive Plan.

§4.17.2 USE REGULATIONS

Uses are allowed in the CT district in accordance with the Use Regulations of Chapter 6.

§4.17.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

CT DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	not designated
MINIMUM LOT WIDTH	
Without shared access	200 feet
With shared access	100 feet
MAXIMUM BUILDING COVER	
1-199 feet road frontage	3,000 gross sq. ft.
200+ feet road frontage	5,000 gross sq. ft.
MAXIMUM HEIGHT	35 feet

§4.17.4 SIGNS

Signs within the CT district shall comply with the following standards:

STANDARD	
Maximum Sign Face Area (square feet)	20
Maximum Sign Height (feet) [1]	5
Maximum Number of Signs per Major Road Frontage [2]	1
Internal Illumination Allowed	No

[1] Freestanding signs shall be monument or pedestal type.
[2] When a parcel abuts more than one road classification, signs will be allowed on the road with the higher classification only.

§4.17.5 OPERATING HOURS

All uses within the CT district shall be limited to operating hours between 6:00 a.m. to 11:00 p.m.

§4.17.6 RESIDENTIAL USES

Residential uses in the CT district shall be subject to the density/intensity and dimensional standards of the RSL district (Article 4.10).

ART. 4.18 CR-1, RURAL COMMERCIAL DISTRICT

§4.18.1 DESCRIPTION

The CR-1, Rural Commercial district implements the Commercial (Rural Landscape-Agricultural Area) policies of the Comprehensive Plan.

§4.18.2 USE REGULATIONS

Uses are allowed in the CR-1 district in accordance with the Use Regulations of Chapter 6.

§4.18.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the CR-1 district shall be subject to the following density, intensity and dimensional standards:

CR-1 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	40,000 square feet
MINIMUM LOT WIDTH	125 feet
MINIMUM SETBACKS	
Front/Street Side	25 feet
Interior Side	15 feet
Rear	25 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	35 feet

§4.18.4 OTHER REGULATIONS

Development in the CR-1 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

ART. 4.19 CR-2, RURAL COMMERCIAL DISTRICT

§4.19.1 DESCRIPTION

The CR-2, Rural Commercial district implements the Commercial (Rural Landscape-Rural Area) policies of the Comprehensive Plan.

§4.19.2 USE REGULATIONS

Uses are allowed in the CR-2 district in accordance with the Use Regulations of Chapter 6.

§4.19.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the CR-2 district shall be subject to the following density, intensity and dimensional standards:

CR-2 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	40,000 square feet
MINIMUM LOT WIDTH	125 feet
MINIMUM SETBACKS	
Front/Street Side	25 feet
Interior Side	15 feet
Rear	25 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	40% of lot
MAXIMUM HEIGHT	35 feet

§4.19.4 OTHER REGULATIONS

Development in the CR-2 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

ART. 4.20 CC, COMMUNITY COMMERCIAL DISTRICT

§4.20.1 DESCRIPTION

The CC, Community Commercial district implements the Commercial (Suburban Area) policies of the *Comprehensive Plan*.

§4.20.2 USE REGULATIONS

Uses are allowed in the CC district in accordance with the Use Regulations of Chapter 6

§4.20.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the CC district shall be subject to the following density, intensity and dimensional standards:

CC DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	4,000 square feet
MINIMUM LOT WIDTH	15 feet
MINIMUM SETBACKS	
Front/Street Side	None
Interior Side	None
Rear	None
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	No Maximum

§4.20.4 OTHER REGULATIONS

Development in the CC district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

§4.20.5 RESIDENTIAL USES

Residential uses in the CC district shall be subject to the density/intensity and dimensional standards of the RSM district (Article 4.11).

ART. 4.21 I, INDUSTRIAL DISTRICT

§4.21.1 DESCRIPTION

The I, Industrial district implements the Industrial (Suburban Area) policies of the *Comprehensive Plan*.

§4.21.2 USE REGULATIONS

Uses are allowed in the I district in accordance with the Use Regulations of Chapter 6.

§4.21.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All development in the I district shall be subject to the following density, intensity and dimensional standards:

CHAPTER 5 | OVERLAY+ SPECIAL PURPOSE ZONING DISTRICTS

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DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	15,000 square feet
MINIMUM LOT WIDTH	70 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	None
Rear	None
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	No Maximum
MAXIMUM HEIGHT	No Maximum

§4.21.4 OTHER REGULATIONS

Development in the I district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

ART. 4.22 WATERFRONT DEVELOPMENT STANDARDS

The following dimensions have precedence over Base Zoning District standards for subdivision on properties which abut a waterway:

Standard [1]	AG 25 1 Ac	AG 15 3 Acs	AG 10 1 Ac	AG 8 1 Ac	AGR 1 Ac	RR-3 1 Ac	RR-1 1/2 Ac	RSL 12,000 sq ft
Min. Lot Area	1 Ac	3 Acs	1 Ac	1 Ac	1 Ac	1 Ac	1/2 Ac	12,000 sq ft
Min. Lot Width (ft)	200	200	175	175	125	125	100	90
Min. Lot Width Average (ft)	250	250	200	200	150	135	125	100
Minimum Buffer/ Setbacks (ft)								
OCRM Critical Line Buffer(1)	35	35	35	35	35	35	35	15
Building Setback from OCRM Critical Line(ft)	50	50	50	50	50	50	50	35

Notes: Acs=Acres ■ Min=Minimum
[1] Landscape buffer standards specified in Chapter 9 may require greater setbacks.

CHAPTER 5 | OVERLAY + SPECIAL PURPOSE ZONING DISTRICTS

ART. 5.1 GENERAL

§5.1.1 ESTABLISHMENT OF DISTRICTS

The following Overlay and Special Purpose zoning districts are hereby established:

DISTRICT NAME	TYPE
NRM Natural Resource Management	Special Purpose
WDU Water-Dependent Use	Special Purpose
MHC-O Maybank Highway Corridor Overlay	Overlay
MP-O Mount Pleasant Overlay	Overlay

§5.1.2 PROCEDURE FOR ESTABLISHMENT

Overlay and Special Purpose zoning districts shall be established, changed or modified in accordance with the procedures applicable to all zoning districts as described in Chapter 3 of this Ordinance.

§5.1.3 OVERLAY DISTRICT APPLICABILITY

The overlay districts only apply to parcels indicated on the corresponding Overlay District Maps.

ART. 5.2 NRM, NATURAL RESOURCE MANAGEMENT DISTRICT

§5.2.1 DESCRIPTION

The NRM, Natural Resource Management district implements the Conservation Management (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§5.2.2 DEVELOPMENT STANDARDS

Unless otherwise expressly allowed in this article, all development within the NRM district shall require review and approval of a Planned Development, in accordance with procedures contained within this Ordinance. Development standards shall be established as a part of the Planned Development approval procedures, taking into account all applicable *Comprehensive Plan* policies, FEMA designations, erosion patterns, wildlife and plant habitat, soils, wetlands and other natural resource constraints.

§5.2.3 EXCEPTIONS

A. AG-25 DISTRICT STANDARDS

For islands within the NRM district, the Planning Director shall be expressly authorized to issue permits for development that complies with the AG-25 zoning district standards instead of the Planned Development procedures and standards of this Ordinance, provided that only 1 principal dwelling unit shall be allowed per lot.

B. DEWEEES ISLAND

For property located on Dewees Island, the Planning Director shall be expressly authorized to issue permits for development that complies with Dewees Island Architectural and Environmental Design Guidelines (dated October 25, 1996) instead of the Planned Development procedures and standards of this Ordinance.

C. GOAT ISLAND

For property located on Goat Island, the Planning Director shall be expressly authorized to issue permits for development that complies with the RSL zoning district

standards, instead of the Planning Development procedures and standards of this Ordinance, provided that only 1 principal dwelling unit shall be allowed per lot.

ART. 5.3 WDU, WATER-DEPENDENT USE DISTRICT

§5.3.1 DESCRIPTION

The WDU, Water-Dependent Use district is intended to accommodate marinas and other nonresidential uses that require locations near water bodies.

§5.3.2 USES

Marinas and other uses that require locations near water bodies may be allowed in the WDU district, if approved in accordance with the Special Exception procedures of this Ordinance.

§5.3.3 DENSITY/INTENSITY DIMENSIONAL STANDARDS

All development in the WDU district shall be subject to the following standards, unless more restrictive standards are imposed at the time of Special Exception approval.

WDU DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	1 Acre
MINIMUM LOT WIDTH	200 feet
MINIMUM SETBACKS [1]	
Front/Street Side	25 feet
Interior Side	15 feet
Rear	25 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	35% of lot
MAXIMUM HEIGHT	35 feet

[1] Landscape buffer standards and Wetlands buffer standards of Chapter 9 also apply.

§5.3.4 SPECIAL STANDARDS FOR MARINAS

Marinas shall be subject to the following standards.

A. USES

The following uses and activities shall be allowed in association with a Marina:

1. Marinas may provide the following services if specifically authorized by a Special Exception approval:
 - a. Launching ramps and small hoists (to accommodate primarily the launching of water craft not exceeding 4,000 pounds in Residential and Agricultural Residential districts);
 - b. Piers, wharfs and other facilities for the berthing and securing of recreational water craft.
 - c. Dockside maintenance and repair necessary to keep water craft in operable condition;

- d. Wet storage and mooring of seaworthy pleasure craft in operable condition;
 - e. Dispensing of fuel, subject to all applicable Ordinance requirements;
 - f. Shower and laundry facilities for marina clientele only;
 - g. Vending machines; and
 - h. Dry stack storage of water craft.
2. Excluding marinas in agricultural and residential districts, marinas providing 25 or more boat slips may provide the following additional services:
 - a. Boat and tackle retail sales;
 - b. Retail sales of basic marine supplies and accessories necessary for boat operation, maintenance and upkeep (not to include the sale of boats and/or motors); and
 - c. Snack bars and retail groceries.

B. PERFORMANCE STANDARDS

In addition to any other applicable provisions of the Ordinance, marinas shall be subject to the following performance standards.

1. Lot Area and Location

The property shall have:

- a. A minimum area of 1 acre located above the mean high water line when public water and public sewer are available;
- b. Frontage on a public-owned road or a privately maintained road built to county road and drainage standards; and
- c. An average lot width of 250 feet.

2. Services

All services provided by the marina shall be located on the same zoning lot or on the piers associated therewith.

3. Structures

All retail sales and services shall be enclosed. The maximum structure size or bulk shall be limited to 10 square feet of net floor area for each boat slip.

4. Setbacks

All structures shall be set back a minimum of 100 feet from abutting agricultural and residential zoning districts except where the property line is the street right-of-way line, in which case the front setback established for the zoning lot shall apply.

5. Parking

Off-street parking shall be provided in accordance with the requirements contained in Chapter 9. Any parking associated with the use of the launching ramp and other marine activities must be accommodated on-site. Parking surfaces and off-street roads or driveways within the facility shall be graded and covered with a permanent dust proof surface.

6. Storage

Areas for boat trailer storage and open field boat storage shall be designated and screened in accordance with the Landscaping, Screening and Buffer requirements of Chapter 9. Open field boat storage on trailers may be provided at a ratio of 1 (10-foot x 20-foot space) for each 2 boat slips.

7. Screening

Marina developments, including areas for boat trailer storage and open field boat storage, shall be screened from adjacent uses in accordance with the Landscaping, Screening and Buffer requirements of Chapter 9.

8. Signs

Those signs that identify commercial activity shall be placed and designated so as not to distract the general public.

9. Wastewater Disposal Facilities

Wastewater disposal facilities shall meet the requirements of the regulatory agencies having jurisdiction.

10. Fire Prevention

Firefighting or fire prevention equipment shall be as specified by the local fire district in which the marina is located.

11. Siting Standards

The approval of a Special Exception for a marina shall be subject to the siting standards contained in the Marina Impact Matrix adopted by County Council on March 5, 1985.

ART. 5.4 MHC-O, MAYBANK HIGHWAY CORRIDOR OVERLAY DISTRICT

§5.4.1 EFFECT OF OVERLAY DISTRICT

The MHC-O, Maybank Highway Corridor Overlay district regulations of this article apply in addition to the underlying (base) zoning district regulations to impose different development rules for properties within the MHC-O district. In case of conflict between the regulations of this article and other regulations in this Ordinance, the regulations of this article shall control. Where no special Maybank Highway Corridor regulation is stated in this article, the regulations of the underlying base zoning and all other applicable provisions of this Ordinance shall apply.

§5.4.2 APPLICABILITY

The standards of this article shall apply to all development within the MHC-O district except single-family residential.

§5.4.3 STREET FRONTAGE

No site shall be rezoned to the CC, Community Commercial district unless the property has at least 250 feet of lot frontage along Maybank Highway, River Road, Bohicket Road or Main Road.

§5.4.4 BUFFERS

A. RIGHT-OF-WAY BUFFERS

Buffers are required in accordance with the requirements of the Landscape Buffers Section contained in Chapter 9 of this Ordinance.

B. OTHER BUFFERS

OFFICE (O) AND COMMERCIAL (C) DISTRICTS/Uses [1][2]	INDUSTRIAL (I) DISTRICTS/Uses [1][2]
Other buffers and landscape areas shall be provided in accordance with the Landscaping, Screening and Buffer standards contained in Chapter 9 of this Ordinance.	Rear and side yard buffers with a minimum width of 100 feet shall be provided except when abutting industrial district or retained within such buffers. Buffers shall also contain the following minimum plantings per 100 linear feet: 12 canopy trees, 15 understory trees and 40 shrubs. Existing trees with a DBH of 6 inches or greater may be utilized to meet any planting requirements.

Notes:

- [1] All required landscape and buffer areas should contain vegetation selected from the List of Native and Naturalized Species available from the Site Plan Review Coordinator or other plant species expressly approved by the Planning Director. At least 50 percent of understory vegetation must be evergreen. The preservation of existing natural vegetation is preferred over new plantings.
- [2] Drainage swales that are designed to direct (not hold) water may be placed in required buffers only when trees are not endangered and only when the swale meanders through the buffer in an unobtrusive manner.

§5.4.5 SIGNS

Signs shall comply with the following standards:

STANDARD	
Maximum Sign Face Area (square feet)	40
Maximum Sign Height (feet) [1]	8
Maximum Number of Signs per Major Road Frontage [2]	1
Internal Illumination Allowed	Yes

- [1] Freestanding signs shall be monument or pedestal type.
- [2] When a parcel abuts more than 1 road classification, signs will be allowed on the road with the higher classification only.

§5.4.6 ACCESSORY STRUCTURE SIZE

Accessory structures shall not exceed 25 percent of the area of the principal structure. Residential use of accessory structures shall be prohibited except for owner/business operators.

ART. 5.5 MIP-O, MOUNT PLEASANT OVERLAY DISTRICT

§5.5.1 INTENT

The regulations of this article are intended to promote traffic safety, improved visual appearance and higher quality nonresidential development.

5.5.2 EFFECT OF OVERLAY DISTRICT

The MP-O Mount Pleasant Overlay district regulations of this article apply in addition to the underlying (base) zoning district regulations to impose different development rules for properties within the overlay district.

5.5.3 APPLICABILITY

The standards of this article shall apply to all development within the MP-O district except single-family residential.

5.5.4 RIGHT-OF-WAY BUFFERS

Buffers are required in accordance with the requirements of the Landscape Buffers Section contained in Chapter 9 of this Ordinance.

5.5.5 CURB CUTS

A maximum of 1 curb cut shall be allowed per 250 feet. Shared access may be required for sites with less than 250 feet of frontage.

5.5.6 SIGNS

A. FREE-STANDING SIGNS

1. Number

A maximum of 1 free-standing sign shall be permitted per major road frontage. If the parcel abuts more than 1 road, signs will be allowed on the road with the higher classification only.

2. Size

Free-standing signs shall not exceed 50 square feet per sign face.

3. Height

The maximum total height of a sign and sign structure shall not exceed 10 feet.

4. Type

All free-standing signs shall be "monument" or "pedestal" type.

5. Illumination

Internal illumination shall be permitted in required 15-foot buffer areas. No internal illumination shall be allowed in 50-foot buffer areas.

6. Flashing/Movement

Flashing or moving signs shall be prohibited.

B. SHOPPING CENTER FREE-STANDING SIGNS

1. Number

A maximum of 1 monument or pedestal-type, free-standing sign shall be permitted per street frontage, provided that the center has vehicular access to that street frontage.

Regardless of the number of street frontages, no more than 2 signs shall be allowed per center.

2. Size

Shopping center free-standing signs shall not exceed 1 square foot of sign face area per each linear foot of street frontage, up to a maximum of 150 square feet of sign face.

C. WALL SIGNS

One square foot of wall signage shall be permitted per each linear foot of building frontage, up to a maximum of 100 square feet of wall signage.

D. SHOPPING CENTER WALL SIGNS

Each individual store unit will be permitted 1 square foot of wall signage per each linear foot of shop frontage, up to a maximum of 100 square feet. Wall signs for individual shopping center tenants must be uniform in design.

E. OFF PREMISES SIGNS

Off premises signs shall be prohibited within the MP-O district.

5.5.7 ARCHITECTURAL AND BUILDING DESIGN STANDARDS

In addition to the Architectural and Landscape Design Guidelines contained in Chapter 9 of this Ordinance, no building elevation shall be constructed of unadorned concrete masonry units or corrugated and/or sheet metal fronting upon any existing public right-of-way.

5.5.8 HEIGHT

Building heights shall be limited to 35 feet.

5.5.9 LOADING AREAS

Structures shall be oriented so that loading areas are not visible from residential zoning districts, from existing public rights-of-way or from planned future public rights-of-way.

5.5.10 UTILITY LINES

All utility lines such as electric, telephone, CATV, or other similar lines serving individual sites as well as all utility lines necessary within the property shall be placed underground.

5.5.11 LIGHTING

Site lighting shall be of low-intensity from a concealed light source fixture and will not spill over into adjoining properties, roadways, or in any way interfere with the vision of oncoming motorists.

5.5.12 PEDESTRIAN ACCESS

Ease of pedestrian access between proposed developments and adjacent developments shall be a required consideration in the development of a proposed project's site and circulation plans.

5.5.13 USES

Uses shall be allowed in the MP-O district in accordance with the following table:

- A. An "A" indicates that a use type is allowed by-right in the MP-O district, subject to compliance with all other applicable regulations of this Ordinance.
B. The "S" indicates that a use type is allowed only if reviewed and approved in accordance with the Special Exception procedures contained within this Ordinance, subject to compliance with all other applicable regulations of this Ordinance.
C. A blank cell indicates that a use type is not allowed in the MP-O district.

USES ALLOWED IN MP-O DISTRICT

Table with columns: Use, SIC, RR, RSL, OR, CN, CC, I. Lists various uses like Congregate Living, Duplex, Dwelling Group, etc.

Table with columns: Use, SIC, RR, RSL, OR, CN, CC, I. Lists various uses like Parks & Recreation, Postal Facility, Railroad Facility, etc.

Use	SIC	RR	RSL	OR	CN	CC	I
Recreation & Entertainment, Ind.							
-Theaters	6020					A	A
-Skating Rink	6260	S			S	A	S
Recreation & Entertainment, Out							
-Drive-in Movie	6005	S				S	S
-Fairground, Amusement Park,	6010					S	S
-Go-Cart Track							
-Sports Assembly	6015	S				S	S
-Skating Rink	6260					S	S
Repair Service, Consumer							
-Furniture Upholstery/Repair	5705					A	A
Restaurant, Fast Food	4010				S	C	A
Restaurant, General	4010				S	C	A
Retail Sales & Service, Convenience					A	A	A
-Self-Laundry/Dry Clean	5010						
Retail Sales & Service, General						S	S
-Auto Vehicles/Accessories	4005					S	S
Scrap and Salvage Service	4025, 4110						S
Self-Service Storage	5540					S	A
Service Station						S	A
Sexually-Oriented Business							
Stable (Boarding & riding)	6255	A	S				
Truck Stop	3140						A
Vehicle Repair, General							A
-Boat Yard	2010					S	A
-Auto Vehicle Body Repair (w/in enclosed building)	5710					S	S
Vehicle Sales/Rental							
-Auto Vehicle & Accessories	4005				S	S	S
-Marine Craft & Accessories	4035				S	S	S
-Mobile Home, RV, Accessories	4040		S			S	S
-Equip/Auto/Truck Rental, Leasing	5530					S	S
Vehicle Service, Limited							
-Auto Vehicle Body Repair (w/in enclosed building)	5710					S	S
Vehicle Storage	3145	S	S		A	A	A
Veterinary Service (no outside kennel)	5020	A			S	A	A
Industrial							
Industrial Service							
-Fuel Storage	3210	S				S	S
-Maintenance Facilities	3215	S				S	A
-Dry-Cleaning/Laundry (w/ plat operation)	5525					A	A
-Janitorial/Bldg Services	5555					A	A

Use	SIC	RR	RSL	OR	CN	CC	I
Manufacturing and Production							
-Logging Camp	2025	A					S
-Sawmill/Planing Mill	2030	A	S				S
-Stone, Clay, Glass Mfg	2035						S
Warehouse and Freight Movement						S	S
-Marine Terminal	3110	S					S
-Trucking, Container Storage Yard	3135					S	S
-Trucking Terminal	3140					S	S
-General Warehousing/Storage	5545					A	A
-Freight Packing/Crating/Forwarding	5550					A	A
Wholesale Sales	4100					A	S
Agricultural and Other Uses							
Agricultural Processing							
-Ag Processing	2005	A	S			S	A
-Food Processing	2020	A				A	A
-Ag Processing	7005	A	S			A	A
Animal Production							
-Dairy Products Mfg	2015	A	S				A
-Animal Farm	7010	A				S	A
Aviation & Surface Transportation							
-Airports/Airstrips	3105	S	S				S
-Railroad R.O.W.	3115	A	A			A	A
-Transit Terminal (garage/maintenance)	3130	S					A
Communications Towers	3010	S	S				S
Crop Production	7015	A	A				A
Fishing (non-processing) tank/pond	7025	S					A
Forestry	7030	A				A	A
Horticulture	7036	A	A			A	A
Recycling Center	7020	A	A			A	A
Resource Extraction	7100	S	S			S	S
Waste-Related Use	3230, 3235	S	S			S	A

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CHAPTER 6 | USE REGULATIONS

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CHAPTER 6 | USE REGULATIONS

ART. 6.1 USE TABLE

Principal uses shall be allowed within the base zoning districts of this Ordinance in accordance with Table 6.1-1.

ART. 6.2 DEFINITIONS

All of the types of uses listed in the Table 6.1-1 are defined in Chapter 12.

ART. 6.3 USE TYPES

§6.3.1 A USES ALLOWED BY RIGHT

An "A" indicates that a use type is allowed by-right in the respective zoning district, subject to compliance with all other applicable regulations of this Ordinance.

§6.3.2 C USES SUBJECT TO CONDITIONS

A "C" indicates that a use type is allowed in the respective zoning district only if it complies with use-specific conditions and all other applicable regulations of this Ordinance. A cross-reference to the applicable conditions can be found in the "Condition" column of Table 6.1-1. The number provides a cross-reference to the use-specific conditions contained in this Chapter.

§6.3.3 S SPECIAL EXCEPTION USES

An "S" indicates that a use type is allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions and all other applicable regulations of this Ordinance. A cross-reference to the applicable conditions can be found in the "Condition" column of Table 6.1-1. The number provides a cross-reference to the use-specific conditions contained in this Chapter.

§6.3.4 [] USES NOT ALLOWED

A blank cell indicates that a use type is not allowed in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this Ordinance.

§6.3.5 NEW OR UNLISTED USES AND USE INTERPRETATION

The Planning Director shall be authorized to make use determinations whenever there is a question regarding the category of use based on the definitions contained in Chapter 12 of this Ordinance or may require that the use be processed in accordance with the Planned Development (PD) procedures of this Ordinance.

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USE TYPE	ZONING DISTRICTS												SECTION
	AG	AG-1	AG-2	AG-3	AG-4	AG-5	AG-6	AG-7	AG-8	AG-9	AG-10	AG-11	
AGRICULTURAL USES													
ANIMAL PRODUCTION													
Animal Aquaculture, including Freshwater Farming, Fish Hatcheries, or Shrimp or Shellfish Farming (in ponds)	A	A	A	A	A	C	C						§ 6.4.1
Apoiculture (Bee Keeping)	A	A	A	A	A	A	A						
Horse or Other Animal Production	A	A	A	A	A	C	C						
Concentrated Animal Feeding Operations	S	S	R	S									§ 6.4.1
CROP PRODUCTION													
Greenhouse Production or Food Crops Green, Unlight, Cover	A	A	A	A	A	A	A						
Horticultural Production or Commercial Nursery Operations	A	A	A	A	A	A	A	C					
Hydroponics	A	A	A	A	A					A	A	A	A
Crop Production	A	A	A	A	A	A	A	A					
FORESTRY AND LOGGING													
Commercial Timber Operations	A	A	A	A	C	C	C						§ 6.4.20
Lumber Mills, Planing, or Saw Mills, including Chipping or Mulching	A	S	S	S									A
STABLE													
Stable	A	A	A	A	C	C	C						§ 6.4.20
SUPPORT ACTIVITIES FOR AGRICULTURE USES													
Agricultural Processing	C	C	C	C	S								§ 6.4.1
Agricultural Sales or Services	A	A	A	A									A
Roadside Stands, including the sale of sweetgrass baskets	A	A	A	A	A	A	A	A					A
RESIDENTIAL													
Congregate Living for the elderly (up to 15 residents)													
Duplex	S	S	S	S	S	S	S	S	S	S			
Dwelling Group	C	C	C	C	C	C	C	C	C	C			
Farm Labor Housing (up to 10 residents)	C	C	C	C	C								§ 6.4.7
Farm Labor Housing (Dormitory) Units (more than 10 residents)	S	S	S	S	S								§ 6.4.9
Child-Caring Institutions (more than 20 children)										S	S	S	§ 6.4.9
Group Care Home, Residential (up to 20 children)	S	S	R	S	S	S	S	S	S	S	S		
Carex Residential, including Fraternal or Society Houses, Dormitories, or Residence Halls										S			
Manufactured Housing Unit Replacement	A	A	A	A	A	C	C	C	C	A	A		§ 6.4.24
Manufactured Housing Park	A	A	A	A	A	A	A	C	C	A	A		§ 6.4.24
Multi-Family, including Condominiums or Apartments										A			
Retirement Housing										S	A	S	
Retirement Housing, Limited (up to 10 residents)	S	S	S	S	S	S	S	S	S	A	G		§ 6.4.8
Single-Family Attached, also known as Townhouses or Rowhouses										S	C	S	
Single-Family Detached	A	A	A	A	A	A	A	A	A				§ 6.4.2
Single-Family Detached (affordable)						C	C	C	C				§ 6.4.25
Single-Family Detached/Manufactured Housing Unit (Joint) or Two Manufactured Housing Units (Joint)	A	A	A	R	A	C	G	C					§ 6.4.19
													§ 6.4.24

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Art. 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.

§6.4.1 ANIMAL PRODUCTION AND AGRICULTURAL PROCESSING USES

Animal production and agricultural processing uses shall be subject to the following standards.

- A. In order to be permitted by-right, such uses must be located on a lot with a minimum area of 5 acres. On lots with an area of under 5 acres, such uses are allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance.
- B. The use shall be setback at least 100 feet from road rights-of-way and property lines bordering undeveloped parcels. A minimum 200-foot setback shall be required from property lines abutting developed parcels.
- C. A minimum 50-foot buffer shall be maintained and planted within the setback area along all interior property lines.
- D. Any outdoor lighting shall be oriented and arranged to minimize spillover lighting and glare on surrounding roads and properties.

§6.4.2 ATTACHED SINGLE-FAMILY DWELLINGS

Attached Single-Family dwellings shall be subject to the following standards

- A. **NUMBER OF ATTACHED UNITS IN A SINGLE STRUCTURE**
In RSL and more restrictive districts, no single structure may contain more than 2 attached single-family dwellings. In all other districts, no single structure may contain more than 8 attached single-family dwellings.
- B. **LOT AREA**
The minimum lot area for attached dwellings shall comply with the minimum lot area standards of the underlying zoning district. Where a common area is provided, minimum lot area requirements may be calculated as an average lot area by counting a proportionate amount of the common area in calculating the area of each lot.
- C. **LOT WIDTH**
The minimum lot width shall be 18 feet per attached dwelling unit.
- D. **SETBACKS**
In all zoning districts where attached dwellings are permitted, the minimum front setback shall be 25 feet and the minimum interior setback shall be 10 feet (on all non-attached sides) of the structure.
- E. **ACCESSORY STRUCTURES**
All accessory structures shall be located on the property of the Attached Single-Family Dwelling and for the private use of the property occupant(s). A minimum interior setback of 3 feet is required between an accessory structure and the interior lot lines, provided that an accessory structure may be located on 1 of the zero lot lines when constructed of a material finish matching the dwelling unit exterior or is the same height and materially a part of a fence or wall.

F. DESIGN STANDARDS

1. The front facade of an attached single-family dwelling may not include more than 40 percent garage wall area.
2. The roof of each attached single-family dwelling must be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.
3. At least 10 percent of the area of each facade that faces a street must be comprised of windows.

§6.4.3 HAIR, NAIL OR SKIN CARE SERVICES

Hair, Nail or Skin Care Services shall be subject to the following standards:

- A. Hair, Nail or Skin Care Services shall be limited to a maximum of one chair in those districts in which they are allowed as a use subject to conditions, otherwise this use shall fall under the special exception (S) provisions of this Ordinance. There shall be no limit on the number of chairs in those zoning districts in which they are a use allowed by right (A).
- B. Where Hair, Nail and Skin Care Services are allowed as a use with conditions (C), this use shall have a maximum floor area of 5,000 square feet, otherwise this use shall fall under the special exception provisions of this Ordinance.

§6.4.4 BED AND BREAKFAST

Bed and Breakfasts shall be subject to the following standards.

- A. The Bed and Breakfast must be residential in nature and comply with the Home Occupation regulations of Section 6.5.9 of this Chapter.
- B. No exterior alterations, other than those necessary to assure the safety of the structure, shall be made to any building for the purpose of providing a Bed and Breakfast.
- C. Bed and Breakfasts shall contain no more than 10 guest rooms.
- D. There shall be an owner or innkeeper/manager residing on the premises.
- E. Meals may be served by the resident owner to paying guests staying at the Bed and Breakfast.
- F. Parking areas for bed and breakfast uses located in agricultural or residential zoning districts shall be screened from view of residential zoning districts and public rights-of-way by evergreen plant material that will provide opaque screening at the time of plant maturity.

§6.4.5 COMMUNICATIONS TOWERS**A. PURPOSE AND INTENT**

The regulations of this section are designed to aid in the siting of communications towers in Charleston County. It is the intent of these regulations to allow for the

harmonious co-existence of communications towers and other land uses. It is also the intent of these regulations to reduce the overall negative impact of communications towers by: (1) reducing the number of towers needed through a policy of encouraging co-location, and (2) if co-location is not feasible, encouraging either the clustering of towers ("tower farms"), the disguising of towers through alternative designs, placing towers away from roadways and providing effective screening, or the location of communications equipment on existing tall structures.

- B. **CO-LOCATION EXEMPTION**
Proposed communications equipment co-locating on existing towers and structures without adding to their height shall require only a Zoning Permit and shall not be subject to the requirements of this section.
- C. **STEALTH EXEMPTION**
If the proposed tower is in a CC or I district and it utilizes an appropriate alternative design (as determined by the Planning Director) which allows it to better blend with the surrounding environment or if the communications equipment will be placed on a tall structure housing another use without adding to its height, the proposed tower or all structure need only meet standard zoning setback, buffer, and landscaping requirements. Setback requirements from residential structures as detailed in paragraph 1 of the Zoning Permit Submittal Requirements subsection will not apply.
- D. **TOWER ABANDONMENT**
A tower that is not used for communication purposes for more than 120 days (with no new application on file for any communication user) is presumed to be out of service and the owner of such tower must notify the staff and remove the tower within 50 days. Towers which are not maintained by the owner according to the County Building Code shall be removed by the owner within 60 days. To assure the removal of towers which do not meet requirements for continued use or proper maintenance, a statement of financial responsibility shall be submitted for each tower over 100 feet and a performance bond for the amount of anticipated removal costs shall be posted for each tower over 150 feet. Removal costs shall be charged to the tower owner.
- E. **ZONING PERMIT SUBMITTAL REQUIREMENTS**
Applications for Zoning Permits for Communications Towers shall complete the Site Plan Review process as provided in Chapter 3 of this Ordinance. The application must contain the following items:
 1. The tower must be located no closer to a residential structure than a distance equal to 1 ½ feet for each 1 foot in height of the proposed tower plus 50 feet as measured from the center of the proposed tower. At a minimum, there must be a 150-foot distance between the proposed tower and a residential structure. This requirement may be waived by the owner of the residential structure.
 2. A site plan, drawn to engineer's scale, showing the location of the tower guy anchors (if any), existing or proposed buildings and structures or improvements, including parking, driveways or access roads, fences, and protected and Grand Trees affected by the proposed construction. If there are no Grand Trees affected, a surveyor's statement on the Site Plan must be shown. Adjacent land uses shall also be noted on the site plan, with precise measurements noted between the proposed tower and any residential structures on surrounding properties.

3. The height and typical design of the tower, typical materials to be used, color, and lighting shall be shown on elevation drawings.
4. A 6-foot non-climbable fence must be placed around the tower (except for those designed in a manner compatible section 6.4.5C, Stealth Exemption) and any associated building. Guy wires may be fenced separately.
5. The Site Plan must show a vegetated buffer, either existing or installed, that provides an effective screen from public rights-of-way and adjacent property owners. If a buffer is to be installed, its placement on the site will vary in order to provide the most effective screening from public view. Required materials will be based on installation of a 25' buffer around the fenced area.
6. Documentation indicating that co-location on existing towers or buildings in the vicinity of the proposed tower was attempted by the applicant but found unfeasible, with specific reasons noted and verified. The Planning Director may require additional information to determine that co-location was unfeasible. Additionally, documentation showing the structural capability of the proposed tower to accommodate co-location and the willingness of the tower owner to allow co-location on the proposed tower is required.
7. The proposed tower must be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties. The fall zone shall be determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal.
8. Proposed towers may not be located within 1,000 feet of the center of an existing tower unless the applicant certifies that the existing tower does not meet the applicant's structural specifications and the applicant's technical design requirements, or that a co-location agreement could not be obtained at a reasonable market rate. In the event of the above situation, the clustering of new towers on the same parcel near existing towers is encouraged.
9. The proposed tower shall only be illuminated as required by the Federal Communications Commission or Federal Aviation Administration. Nighttime strobe lighting shall not be incorporated unless required by the Federal Communications Commission or Federal Aviation Administration.
10. The proposed tower must not include signs of any nature on any portion of the tower. This requirement does not apply if the communications equipment is placed in a manner complying with section 6.4.5C, Stealth Exemption.
11. For the purposes of co-location review and review of efforts at siting a tower on the same lot near an existing tower, the applicant shall submit the following:
 - a. Evidence of letters sent by Certified Mail to owners of towers within the tower site search area indicating that an attempt was made for co-location.
 - b. Evidence that alternative towers, buildings, or other tall structures available for use within the applicant's tower site search area are not

structurally capable of supporting the intended antenna, or do not meet the applicant's necessary height criteria, or cannot provide a location free of interference from other communication towers, or are not available at the prevailing market rate.

- c. Documentation from the applicant's engineer that the proposed tower is built in such a manner as may allow other telecommunication users to co-locate.

12. A copy of the tower's search ring.
13. To assure the removal of towers which do not meet requirements for continued use or proper maintenance, a statement of financial responsibility shall be submitted for each tower over 100 feet and a performance bond for the amount of anticipated removal costs shall be posted for each tower over 150 feet.
14. Any other information as requested by staff to allow adequate review of approval criteria, including a line of sight analysis showing potential visual and aesthetic impacts. For instance, the staff may request photographs with the tower superimposed to assess visual impact. Additionally, the FAA study number for the proposed tower may be required.

F. ZONING PERMIT APPROVAL CRITERIA

No Zoning Permit shall be issued for a communications tower until the Planning Director determines that tower complies with the following criteria and standards:

1. That the location and height of the proposed tower will not substantially impact the character of property listed in or eligible for the National Register of Historic Places, other significant environmental, cultural or historical sites, or roads which have been officially designated by this Ordinance as scenic roads, and that the tower is designed to blend into the environment and minimize visual impact.
2. If a completely new tower is necessary, the staff must have written documentation that the applicant's attempts at co-location and siting a tower on the same lot near an existing tower were proven not feasible or practical; and that the applicant has pursued any available publicly owned sites and privately owned sites occupied by a compatible use, and if not utilized, that these sites are unsuitable for operation of the facility under applicable communications regulations and the applicant's technical design requirements.
3. In those instances in which a proposed communications tower is viewed by the Planning Director as having a substantially negative impact on a surrounding area or adjoining property, the Planning Director shall bring the matter to the next available meeting of the Board of Zoning Appeals for hearing and decision, pursuant to Article 3.13.

G. TIME LIMIT FOR STAFF REVIEW

Upon receipt of a complete application for a Communications Tower Zoning Permit, the Planning Department staff shall have a maximum of 30 days to act on the application. Staff's failure to act on the application within 30 days will result in the applicant being granted a Zoning Permit.

H. SURROUNDING PROPERTY OWNER NOTIFICATION

Within 10 days of receipt of a complete application for a Communications Tower Zoning Permit, the Planning Department shall provide Neighbor Notice, Posted Notice and Newspaper Notice in accordance with the requirements of this Ordinance.

§6.4.6 DRIVE-IN THEATERS

Drive-in Theaters shall be subject to the following standards:

- A. A use for this purpose shall have a setback 200 feet from any agricultural, residential or office zoning district. Adult drive-in theaters are subject to Section 6.4.18 of this Chapter.
- B. Such use shall be located as to draw a minimum of vehicular traffic to and through local streets in nearby residential areas.
- C. The principal vehicular access for such use shall be on a major thoroughfare or collector street having a right-of-way at least 60 feet wide.
- D. Vehicular entrances and exits shall be provided separately and not less than 100 feet apart.
- E. Between the street entrance and the ticket gate there shall be an area for vehicles waiting to pass the gate. Said area shall have such capacity as will make it ordinarily unnecessary for entering vehicles to wait in the street.

§6.4.7 DWELLING GROUPS

Where 2 or more principal single family residential structures are located on the same zoning lot, the following criteria shall apply:

A. DENSITY, INTENSITY AND DIMENSIONAL STANDARDS

Density/intensity and dimensional standards of the underlying zoning district shall apply. In each case, the distance between structures shall not be less than the sum of the minimum interior setbacks required. This distance shall be measured from the closest protrusion of each structure. Where no building footprint is indicated, a maximum of a 100 foot by 100 foot area shall be shown for each dwelling to indicate the area where each dwelling is to be constructed.

B. FACING OF DWELLING UNITS

Each dwelling unit shall face (front) either a street, courtyard or outdoor living space.

C. VEHICLE ACCESS

Each dwelling group shall provide an access consistent with the Road Construction Standards in Appendix A of this Ordinance.

D. OTHER ZONING REQUIREMENTS

Unless specifically modified by this section, Dwelling Groups shall comply with all other requirements of this Ordinance for the district in which located.

§6.4.8 RETIREMENT HOUSING, LIMITED

Small Site Retirement Housing shall be subject to the following standards:

- A. Such use shall be allowed only if reviewed and approved as a Special Exception in accordance with the procedures of this Ordinance.
- B. Only existing single-family dwelling units may be used for such facilities.
- C. No more than 10 residents shall be allowed within such facility.
- D. Medical services shall not be permitted on the premises.
- E. Small Site Retirement Housing will not include programs or treatment for individuals suffering from mental illness, drug addiction or alcoholism.
- F. Facilities shall comply with all applicable state regulations.

§6.4.9 FARM LABOR HOUSING

Farm Labor Housing shall be subject to the following standards:

- A. Such use shall be setback 100 feet from road rights-of-way and property lines bordering undeveloped parcels. A minimum 200-foot setback shall be required from property lines abutting developed parcels.
- B. A minimum 50-foot buffer shall be maintained and planted within the setback area along all interior lot lines.
- C. For Farm Labor Housing that is not dormitory style, the minimum lot area for such use as a use permitted by-right shall be 5 acres. Such use shall be allowed as a Special Exception on parcels under 5 acres in area.
- D. Farm labor housing shall be used on a seasonal basis only, not as year-round housing.

§6.4.10 NATURE EXHIBITIONS

- A. Where nature exhibitions are of public ownership or listed in the National Registry of Natural Landmarks or registered as a Heritage Site with the South Carolina Heritage Trust in accordance with the provisions of Act #600 of the 1976 Acts and Joint Resolutions, either in public or private ownership, accessory uses to acquire maintenance revenue are permitted.
- B. Accessory uses are limited to the retail sale of gifts, novelties, souvenirs, food services, and bicycle, horse or boat rental for on-premises use.
- C. Accessory structures so used shall not exceed 10 percent in size of the principal structures when the nature exhibit is housed, or 1,200 square feet for each acre when the nature exhibit is not enclosed.
- D. Parking requirements for each accessory use, in addition to the parking requirements for the principal use, shall comply with the parking requirements for the type of use as specified in the Off-Street Parking Schedule of Chapter 9 of this Ordinance.
- E. Signs advertising accessory uses shall be located on the premises and not visible from a public road.

§6.4.11 PARKS, RECREATION AND OUTDOOR RECREATION/ENTERTAINMENT

Any structure established in connection with such uses shall have a setback of not less than 100 feet from any property in an agricultural, residential or office zoning district, except where such property line abuts a street, in which case the front setback established for the district shall apply.

§6.4.12 RECREATIONAL VEHICLE PARKS

Recreational Vehicle Parks shall be subject to the following standards:

A. LOCATION AND ACCESS

Recreational vehicle park shall be located in a public park or with direct access to a state or federal numbered highway or an approved County road. No entrance to or exit from a recreational vehicle park shall be through an agricultural, residential or office zoning district.

B. SITE CONDITIONS

Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. No portion of the site that is subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose that would expose persons or property to hazards.

C. SPACES FOR OCCUPANCY; USES PERMITTED; LENGTHS OF STAY

Spaces in recreational vehicle parks may be used by recreation vehicles, as defined herein. Spaces shall be rented by the day or week only, and no recreational vehicle shall remain in the same trailer park for more than 30 days.

D. SITE PLANNING AND REQUIRED IMPROVEMENTS

Site Planning and improvements shall provide for:

1. Facilities and amenities appropriate to the needs of the occupants;
2. Safe, comfortable, convenient and sanitary use by occupants under all weather conditions to be expected during periods of occupancy; and
3. Protection of occupants from adverse environmental influences, and where appropriate, protection of the neighborhood from potential adverse influences within the recreational vehicle park.

E. RELATION OF SPACES TO PUBLIC STREETS

No space shall be located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the right-of-way line of any major thoroughfare or collector street, or within 25 feet of the right-of-way line of any other street.

§6.4.13 RELIGIOUS ASSEMBLY

- A. Except as provided in paragraph B of this section, every facility for Religious Assembly shall be set back from the boundaries of other properties in agricultural, residential and office zoning districts at least 25 feet, provided that any wall unbroken by doors, windows, or other openings shall be set back at least 15 feet from such boundaries.

- B. In the case of the temporary use of a dwelling for Religious Assembly, for a period not to exceed three years, the Board of Zoning Appeals may waive or reduce the setback requirements of this section and the off-street parking requirements of this Ordinance.

§6.4.14 RESOURCE EXTRACTION

All uses involving resource extraction shall complete the Site Plan Review process, which includes representatives from Planning Department, Department of Public Works, South Carolina Department of Health and Environmental Control (DHEC), South Carolina Department of Transportation, U.S. Army Corps of Engineers, Office of Coastal Resource Management, and other departmental representatives deemed necessary by the Planning Director to address issues relevant to respective issues of the project. Before approval of a Special Exception for a Resource Extraction use, the applicant shall show proof of application to the South Carolina Department of Health and Environmental Control within 6 months of the Special Exception application date. The Board of Zoning Appeals may, on a case-by-case basis, also require that the excavation area be screened, that a drainage plan be submitted and approved for the restoration of the site when excavation has been completed. When approval by the Board of Zoning Appeals has been granted to the applicant, the Planning Department will provide locator data by tax map data to the Environmental Health section of DHEC as well as to the Mosquito Abatement section of the Public Works Department.

§6.4.15 RESTAURANTS, BARS AND LOUNGES SERVING ALCOHOLIC BEVERAGES

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

§6.4.16 SELF-SERVICE STORAGE (MINI-WAREHOUSE) FACILITY

Self-Service Storage facilities shall be subject to the following standards.

A. PERFORMANCE STANDARDS**1. Front Setback**

All structures, including the accessory managers office/apartment, must be set back a minimum of 25 feet from the right-of-way or the district minimum setback, whichever is greater.

2. Side and Rear Buffers/Screening

- Where projects abut lots zoned office, commercial, or industrial, no side and rear setbacks are required.
- Where sites abut residentially zoned properties, buildings adjacent to the perimeter must face inward with their doors away from such areas.

3. 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.

4. Accessory Office/Apartment

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

5. Parking and Circulation

- Project entrances shall be 30 feet in width.

- Roadway widths on interior drives shall be at least 24 feet in width where buildings face and open onto such drives on only 1 side. Where buildings face and open onto drives on both sides, widths of such drives shall be at least 34 feet.

- 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.

6. Signs

Signs shall comply with the requirements contained in Chapter 9 of this Ordinance. Signs shall not be attached to or displayed on walls or fences used as required screening.

B. OPERATING CONDITIONS**1. Commercial Activities**

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

2. Commercial Repair Activities

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

3. Storage of Flammable Substances

Storage of flammable chemical substances within the complex is prohibited.

4. Open Storage

Open storage of automobiles 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.

§6.4.17 SEWAGE DISPOSAL FACILITIES

Sewage Disposal Facilities shall be subject to the following standards.

- The installation and/or construction in accordance with design plans approved by the South Carolina Department of Health and Environmental Control (DHEC), and the operation of sewage disposal plants, systems, and sludge drying beds shall be approved by DHEC.

- Any structure or bed established in connection with such uses shall have a setback of not less than 50 feet from any property line. All structures shall be screened, in accordance with the Landscaping, Screening and Buffer requirements contained in Chapter 9 of this Ordinance so that they conform to the general character of the neighborhood.

§6.4.18 SEXUALLY ORIENTED BUSINESSES**A. PURPOSE AND INTENT**

It is the purpose of the regulations of this section to regulate sexually oriented businesses in order to promote the health, safety and general welfare of the citizens of the county, and to establish reasonable and uniform regulations to prevent the continued deleterious locating and concentration of sexually oriented businesses within

the county. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent or effect of this section to condone or legitimize any use or act which is otherwise prohibited or punishable by law.

B. FINDINGS OF FACT

- There are a number of sexually oriented businesses in Charleston County and it is in the interests of the health, safety, and welfare of the patrons of such businesses, as well as the citizens of Charleston County, to provide certain minimum standards and regulations for sexually oriented businesses, as well as the operators and employees of such businesses.
- Sexually oriented businesses generate secondary effects that are detrimental to the public health, safety and welfare. Additionally, sexually oriented businesses are frequently used for unlawful sexual activities, including public sexual indecency, prostitution and sexual encounters of a casual nature. Such businesses are of particular concern to the community when they are located in close proximity to each other, or close to schools, churches or parks and playgrounds.
- The concern over sexually transmitted diseases is a legitimate health concern of the county which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of our citizens.
- Live entertainment presented by some sexually oriented businesses involves a considerable amount of bodily contact between patrons and semi-nude and nude employees and dancers, including physical contact, such as hugging, kissing and sexual fondling of employees and patrons. Many sexually oriented businesses have "couch" or "straddle" dancing, and in these "dances," employees sometimes do such things as sit in a patron's lap, place their breasts against the patron's face while physical contact is maintained, and gyrate in such a manner as to simulate sexual intercourse. Such behavior can lead to prostitution. The County Council recognizes that preventing prostitution and the spread of sexually-transmitted diseases are clearly within its police powers: *Southeastern Promotions, Inc. v. Conrad*, 341 F. Supp. 465, 477 (E.D. Tenn. 1972), *rev'd on other grounds*, 420 U.S. 546 (1975). The County Council believes that prohibiting physical contact between performers and patrons at a sexually oriented business establishment is a reasonable and effective means of addressing these legitimate governmental interests.
- Licensing is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations, to facilitate the enforcement of legitimate location and distancing requirements, and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation.
- The location of sexually oriented businesses close to residential areas diminishes property values and leads to conditions that give rise to crime in

residential neighborhoods. Many studies performed in other communities indicate conclusively that property crimes and sexual crimes increase significantly in neighborhoods in which a sexually oriented business is located.

- It is not the intent of this section to suppress any speech activities protected by the First Amendment or to place any impermissible burden on any constitutionally-protected expression or expressive conduct by the enactment or enforcement of this Ordinance. Rather, it is the intent of the County Council to enact a "content neutral regulation" that addresses the secondary effects of sexually oriented businesses.

C. DEFINITIONS

For the purposes of this section, the following terms shall have the following meanings:

- "Adult arcade" means any place to which the public is permitted or invited wherein coin-operated, slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to one or more persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
- "Adult bookstore," "Adult retail store" or "Adult video store" means a commercial establishment which excludes any person by virtue of age from all or part of the premises generally held open to the public where products or equipment distinguished or characterized by a predominant emphasis or simulation of "specified sexual activities" or "specified anatomical areas" are sold, rented or displayed therein, (unless the business complies with the requirements of Section 6.4.18.C2c herein) or, which has as one of its principal business purposes, the sale or rental of any form, for consideration, one or more of the following:
 - Books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas."
 - Instruments, devices, paraphernalia or clothing which are designed for use in connection with "specified sexual activities," excluding condoms and other birth control and disease prevention products. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as one of its principal business purposes is the offering for sale or rental, the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."
 - "Adult bookstore," "Adult retail store" or "Adult video store" does not mean any establishment which displays, rents or sells sexually-explicit materials in an enclosed room equal to less than 10% of the business's

total square footage, and which prohibits anyone under 18 years of age from entering the room.

- d. "Principal business purpose," as used in this section, means that more than 25% of the "stock in trade" of the business is devoted to the display, rent or sale of items, products or equipment distinguished or characterized by a predominant emphasis on, or simulation of, "specified sexual activities" or "specified anatomical areas."
- e. "Stock in trade" for purposes of this sub-section shall mean the greater of
 - (1) The retail dollar value of all items, products or equipment readily available for purchase, rental, viewing or use by patrons of the establishment, excluding material located in any storeroom or other portion of the premises not regularly open to patrons; or
 - (2) The total volume of shelf space and display area.
3. "Adult cabaret" means a nightclub, bar, restaurant or similar commercial eating or drinking establishment, which regularly features:
 - a. Persons who appear in a state of nudity.
 - b. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
 - c. Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
4. "Adult car wash" means a car wash where some or all of the employees are semi-nude or nude and/or where "specified sexual activities" occur or "specified anatomical areas" are exhibited.
5. "Adult motel" means a hotel, motel or similar commercial establishment which:
 - a. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" and which may have a sign visible from the public right-of-way which advertises the availability of these types of photographic reproductions, or
 - b. Routinely offers a sleeping room for rent for a period of time that is less than eight hours, or
 - c. Routinely allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than eight hours, or

- d. Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two or more times in a period of time that is less than eight hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this section
6. "Adult motion picture theater" means a commercial motion picture theater, one of whose principal business purposes is, for any form of consideration, to regularly show films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
7. "Adult theater" means a commercial theater, concert hall, auditorium, or similar commercial establishment, one of whose principal business purposes is to regularly feature persons who appear in a state of nudity, or which features live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
8. "Certificate of Nonconformity" means a certificate issued by the Charleston County Planning Department to any sexually oriented business which is operating at the time of the enactment of this Chapter, and is not in compliance with one or more of its provisions.
9. "Dancer" means an employee of a sexually oriented business who entertains patrons through expressive forms of dance and/or movement.
10. "Employee" means an individual working and performing services for any sexually oriented business, including any independent contractor who provides services on behalf of any sexually oriented business to the patrons of such business.
11. "Established" or establishment," as used in this Chapter, means and includes any of the following:
 - a. The opening or commencement of any sexually oriented business as a new business.
 - b. The conversion of an existing business, whether or not a sexually oriented business, to a sexually oriented business.
 - c. The addition of any sexually oriented business to any other existing sexually oriented business.
 - d. The relocation of any sexually oriented business
12. "Health club," as used in this Chapter, means a health club where some or all of the employees are nude or semi-nude, or in which "specified sexual activities" occur or "specified anatomical activities" are exhibited.
13. "Licensee" means a person in whose name a Sexually Oriented Business Regulatory License to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a Sexually Oriented Business Regulatory License.

14. "Live entertainment," for purposes of this Chapter, means a person who appears nude, semi-nude, or a performance which is characterized by the exposure of "specified anatomical areas" or "specified sexual activities."
15. "Nude model studio" means any place where a person appears in a state of nudity or displays "specified anatomical areas" and is observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any other form of consideration, and such place is not subject to an exemption pursuant to any provision herein.
16. "Nude", "Nudity" or "state of nudity" means: a) the appearance of a bare human buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or b) a state of dress which fails to completely cover a human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.
17. "Operate" or "causes to be operated," as used in the Chapter, means to cause to function or to put or keep in operation.
18. "Operator" means any person on the premises of a sexually oriented business who is authorized to exercise overall operational control of the business, or who causes to function or who puts or keeps in operation the business. A person may be found to be operating or causing to be operated a sexually oriented business whether or not the person is an owner, part owner, or licensee of the business.
19. "Patron" means any person who pays a sexually oriented business any form of consideration for services provided to him or her by the sexually oriented business.
20. "Person" means an individual, proprietorship, partnership, corporation, association, or other legal entity.
21. "Semi-nude" or "semi-nudity" means a state of dress in which clothing covers no more than the genitals of a man, or the pubic region and areolae of the breasts of a woman.
22. "Sexually oriented business" includes an adult arcade, adult bookstore, adult retail store or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, nude model studio, or any other business, such as a car wash or a health club, which offers, for consideration, materials or services characterized as depicting "specified sexual activities" or "specified anatomical areas", or whose employees perform services in a state of nudity or semi-nudity.
23. "Sexually Oriented Business Regulatory License" means a special annual operating license necessary for a sexually oriented business to do business in Charleston County. Such license is in addition to a Charleston County Business License, and is issued by the Charleston County Planning Department.
24. "Specified anatomical areas" means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

25. "Specified sexual activities" means and includes any of the following:
 - a. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts.
 - b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
 - c. Masturbation, actual or simulated.
 - d. Excretory functions as part of or in connection with any of the activities set forth in A. through C. above.
26. "Substantial enlargement" of a sexually oriented business means the increase in floor areas occupied by the business by more than 25%, as the floor areas exist on the date the original Charleston County Zoning Permit was obtained.
27. "Transfer of ownership" or control of a sexually oriented business means and includes any of the following:
 - a. The sale, lease or sublease of the business.
 - b. The transfer or securities which constitute a controlling interest in the business, whether by sale, exchange or similar means.
 - c. The establishment of a trust, gift or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.
28. "Viewing Room" means the room, booth, or area where a patron of a sexually oriented business would ordinarily be positioned while watching a film, video cassette, video reproduction, or live production.

D. PERMITS AND LICENSES

1. Every person engaged or intending to engage in a sexually oriented business is required to obtain a Sexually Oriented Business Regulatory License.
2. A person commits a misdemeanor if he or she operates a sexually oriented business without a valid Zoning Permit and Business License and Sexually Oriented Business Regulatory License issued by Charleston County.
3. An application for a Zoning Permit must be made on a form provided by the Planning Department. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch of diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus 6 inches.
4. The applicant must be qualified according to the provisions of Article 6.4, 19E and the premises must be inspected and found to be in compliance with

applicable State laws by the South Carolina Department of Health and Environmental Control (DHEC) and the Building Official.

5. If an entity wishing to operate a sexually oriented business is an individual, he or she must sign the application for a Sexually Oriented Business Regulatory License as applicant. If an entity wishing to operate a sexually oriented business is other than an individual, each individual who has a 10 percent or greater interest in the business must sign the application for a Sexually Oriented Business Regulatory License as an applicant. If a corporation is listed as owner of a sexually oriented business or as the entity wishing to operate such a business, each individual having a 10 percent or greater interest in the corporation must sign the application for a Sexually Oriented Business Regulatory License as applicant.
6. The fact that a person possesses other types of state or county permits and/or licenses does not exempt him or her from the requirements to obtain a Sexually Oriented Business Regulatory License.

E. ISSUANCE OF A SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

1. The Planning Director shall approve the issuance of a Sexually Oriented Business Regulatory License to an applicant within 30 days after receipt of an application unless the Planning Director finds 1 or more of the following to be true:
 - a. The applicant (if a natural person) is under 18 years of age.
 - b. The applicant has failed to provide information reasonably necessary for issuance of a Sexually Oriented Business Regulatory License or has falsely answered a question or request for information on the applicant form.
 - c. The premises to be used for the sexually oriented business have not been approved by the South Carolina Department of Health and Environmental Control (DHEC) and the Building Official as being in compliance with applicable laws and ordinances.
 - d. The applicant of the sexually oriented business is in violation of, or is not in compliance with, any of the provisions of this section.
2. The Sexually Oriented Business Regulatory License, if granted, shall state on its face the names of the persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The Sexually Oriented Business Regulatory License shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.

F. INSPECTION

1. An applicant or licensee shall permit representatives of the Sheriff's Department, South Carolina Department of Health and Environmental Control (DHEC), local Fire Department, Planning Department, Legal Department and/or Building Inspection Department to inspect the premises of

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a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

2. The licensee (or the licensee's agent or employee) of a sexually oriented business commits a misdemeanor if he or she refuses such lawful inspection of the premises at any time it is occupied or open for business. Such refusal is also grounds for suspension or revocation of a Sexually Oriented Business Regulatory License.

G. EXPIRATION OF SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

1. A Sexually Oriented Business Regulatory License must be renewed each year, at least 2 weeks prior to the expiration date.
2. If, after denying the issuance or renewal of a Sexually Oriented Business Regulatory License, the Planning Director finds that the basis for denial of the License has been corrected or abated, the applicant may then be granted a Sexually Oriented Business Regulatory License.

H. SUSPENSION OF SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

The Planning Director shall suspend a Sexually Oriented Business Regulatory License for a period not to exceed 30 days if the Planning Director determines that a licensee or an employee of a licensee:

1. Has violated or is not in compliance with any provision of this section.
2. Has refused to allow an inspection of the sexually oriented business premises as authorized by this section.
3. Has knowingly permitted gambling by any person on the sexually oriented business premises.

I. REVOCATION OF SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

1. The Planning Director shall revoke a Sexually Oriented Business Regulatory License if a cause of suspension in Section 6.4.18H occurs and the Sexually Oriented Business Regulatory License has previously been suspended within the preceding 12 months.
2. The Planning Director shall revoke a Sexually Oriented Business Regulatory License if the Planning Director determines that:
 - a. The licensee gave false or misleading information in the material submitted to the Zoning or Business License Departments during the application process;
 - b. The licensee or an employee knowingly operated the sexually oriented business during a period of time when the licensee's Sexually Oriented Business Regulatory License was suspended; or
 - c. A licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation or masturbation to occur in or on the permitted and/or licensed premises.

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3. If subsequent to revocation, the Planning Director finds that the basis for the revocation of the Sexually Oriented Business Regulatory License has been corrected or abated, the applicant may be granted a Sexually Oriented Business Regulatory License.

J. APPEAL OF DESIGNATION, SUSPENSION OR REVOCATION OF SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

A sexually oriented business or a Licensee may appeal, in writing, the Planning Director's designation of a business as a sexually oriented business, or the suspension or revocation of a Sexually Oriented Business Regulatory License to the Board of Zoning Appeals in accordance with the procedures of Article 3.13.

K. TRANSFER OF SEXUALLY ORIENTED BUSINESS REGULATORY LICENSE

Each Sexually Oriented Business Regulatory License issued hereunder is non-transferable. A licensee shall not transfer a Sexually Oriented Business Regulatory License to another sexually oriented business, nor shall a licensee operate a sexually oriented business under the authority of a Sexually Oriented Business Regulatory License at any place other than the address designated in the application. Each Sexually Oriented Business Regulatory License is non-transferable.

L. LOCATION RESTRICTIONS

1. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business outside of the zoning districts where the use is allowed. (See Article 6.1).
2. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business within 1,000 feet of:
 - a. A facility for Religious Assembly;
 - b. A public or private school;
 - c. A boundary of any residential zoning district;
 - d. A public park adjacent to any residential zoning district; and
 - e. The property line of a lot occupied by a residential use.
3. A person commits a misdemeanor if he or she causes or allows the operation, establishment, or maintenance of more than 1 sexually oriented business in the same building, structure or portion thereof, or the substantial enlargement of floor areas of any sexually oriented business in any building, structure or portion thereof containing another sexually oriented business without the issuance of a Sexually Oriented Business Regulatory License for each use and every expansion.
4. For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church or public or private school, or to the nearest boundary of any

neighboring public park, residential lot without the issuance of a Sexually Oriented Business Regulatory License for each use and expansion.

M. REGULATION OF ADULT CAR WASHES

Nude or semi-nude employees of adult car washes must not be able to be seen from any public right-of-way or adjoining parcels. Necessary fencing and/or buffers, as deemed appropriate by the Planning Department, must be placed around the establishment in order to ensure that patrons can only view the employees once the patrons are inside the establishment.

N. NO FONDLE OR CARESSING

It is a misdemeanor for any nude or semi-nude employee or dancer to fondle or caress any patron, and no patron shall fondle or caress any nude or semi-nude employee or dancer.

O. NONCONFORMING SEXUALLY ORIENTED BUSINESSES

1. Any sexually oriented business operating on the date the original Sexually Oriented Business Regulations were enacted by Charleston County Council (Section 6.4.18, that is found to be in violation of any of the location provisions of Article 6.4.18L above, shall be deemed a nonconforming use, and upon written notification by the Planning Director, must obtain a Certificate of Nonconformity from the Planning Department. A certified nonconforming use will be permitted to continue to operate for a period not to exceed 1 year before being licensed.
2. If the sexually oriented business does not, within 6 months of notification by the Planning Director, obtain a Certificate of Nonconformity, then the business will be deemed in violation of this Ordinance, and will not be permitted to continue to operate more than 6 months after the date that the regulations of this section (Article 6.4.18) first became effective.
3. No nonconforming use shall be increased, enlarged, extended or altered except that the use may be changed to a conforming use.
4. If 2 or more sexually oriented businesses are within 1,000 feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at that particular location is the conforming use, and the later-established business is the nonconforming use.
5. Any sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use due to the subsequent location of a church, public or private elementary or secondary school, public park, residential district, or a residential lot within 1,000 feet of the sexually oriented business. This provision applies only to the renewal of a valid Sexually Oriented Business Regulatory License, and does not apply when an application for a Sexually Oriented Business Regulatory License is submitted after a Sexually Oriented Business Regulatory License has expired or has been revoked.

P. ADULT MOTELS PROHIBITED

A person in control of a sleeping room in a hotel, motel, or similar commercial establishment, commits a misdemeanor if he or she rents or sub-rents a sleeping room to a person, and then, within 8 hours from the time the room is rented, rents or sub-

rents the same sleeping room again, as such creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this section. For purposes of this section, "rent" or "sub-rent" means the act of permitting a room to be occupied for any form of consideration.

Q. SIX-FOOT DISTANCE RULE

1. No nude or semi-nude employee or nude or semi-nude dancer shall perform live entertainment within six feet of any patron, nor shall any patron experience live entertainment within six feet of any nude or semi-nude employee or nude or semi-nude dancer, in a sexually oriented business. In the case of adult car washes, the six-foot distance rule necessitates that patrons get out of their vehicles, and watch the vehicles being washed 6 feet away from the nude or semi-nude employees.
2. Sexually oriented businesses with live entertainment shall conspicuously post a sign that advises patrons that they must be a least 6 feet away from nude or semi-nude dancers at all times.

R. GRATUITIES

1. No patron shall personally pay or personally give a gratuity to any nude or semi-nude dancer or nude, or semi-nude, employee in a sexually oriented business establishment. Gratuities can be placed in containers at a location away from the nude or semi-nude dancers, or handed to clothed employees. In the alternative, sexually oriented businesses could charge a cover charge, and prohibit all gratuities.
2. No nude or semi-nude dancer or nude, or semi-nude, employee of a sexually oriented business shall solicit or accept any pay or gratuity personally from a patron.
3. Sexually oriented businesses with nude or semi-nude dancers or nude, or semi-nude employees shall conspicuously post a sign that advises patrons that gratuities to be paid personally to nude or semi-nude dancers and nude, or semi-nude, employees are prohibited.

S. ADDITIONAL REGULATIONS PERTAINING TO THE EXHIBITION OF SEXUALLY EXPLICIT FILMS AND VIDEOS, ADULT ARCADES AND HEALTH CLUBS

A person who operates or causes to be operated a sexually oriented business, as defined in this section, which exhibits on the premises in a viewing room of less than 150 square feet of floor space, a film, video cassette or other video reproduction which depicts "specified sexual activities" or "specified anatomical areas", or which allows "specified sexual activities" to occur in a separate room in the establishment shall comply with the following requirements:

1. Upon application for a Sexually Oriented Business Regulatory License, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of 1 or more manager's stations and the location of all overhead lighting fixtures, and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed 32 square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared

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diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object, and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches. The Planning Director may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

2. The application shall be sworn to be true and correct by the applicant.
3. No alteration in the configuration or location of a manager's station may be made without the prior approval of the Planning Director.
4. It is the duty of the owners and operator of the premises to ensure that at least 1 employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has 2 or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least 1 of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.
6. It shall be the duty of the owners and operator, and also the duty of any agents and employees present in the premises, to ensure that the view area specified in subparagraph "5" remains unobstructed by any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to subparagraph "1" of this section.
7. No viewing room, nor any room or enclosed area in a health club that cannot be viewed from the manager's station, may be occupied by more than 1 person at any time.
8. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than 1 candle foot as measured at the floor level.
9. It shall be the duty of the owners and operator, and also the duty of any agents and employees present in the premises, to ensure that the illumination described above, is maintained at all times that any patron is present in the premises.
10. A person having a duty under subparagraphs "1" through "9" above commits a misdemeanor if he or she knowingly fails to fulfill that duty.

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T. EXEMPTIONS

It is a defense to prosecution under this section that a person appearing in a state of nudity did so in a modeling class operated:

1. By a proprietary school, licensed by the State of South Carolina; a college, junior college, or university supported entirely or partly by taxation.
2. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation.
3. In a structure:
 - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing.
 - b. Where, in order to participate in a class a student must enroll at least 3 days in advance of the class.
 - c. Where no more than 1 nude model is on the premises at any 1 time.

U. VIOLATIONS

Refer to provisions contained in Chapter 11, Violations, Penalties and Enforcement.

§6.4.19 SINGLE-FAMILY DETACHED AFFORDABLE UNITS

To promote ownership or occupancy of affordable, quality housing by low-income households, property within the AG-8 or any AGR or RR zoning districts may be approved for subdivision and development in accordance with the density/intensity and dimensional standards of this section (see Section 6.4.19F below). The entity developing the subject parcel must construct new residential housing for the provision of affordable housing as certified by Charleston County. The purchaser or tenant of the affordable household, at the time of closing or rental agreement, must meet the HUD definition of low-income. The following standards of this section must also be met:

- A. AFFORDABLE HOUSING**
Affordable Housing must meet the definition used as a general rule by lending institutions as housing cost not to exceed 30 percent of gross monthly income.
- B. LOW INCOME**
Low Income must meet the definition of a household income which is 80% or below: the median household income for Charleston County.
- C. ANNUAL DEVELOPMENT LIMITS**
The entities developing single family affordable units shall not develop more than 10 acres of low-income housing within all AG-8, AGR or RR zoning districts in any calendar year in any geographical area in the County. The geographical areas shall be: Johns Island, Wadmalaw Island, Edisto Island, St. Pauls Area, James Island, and East Cooper Area.
- D. NUMBER OF LOTS**
No more than 50 lots may be included in any single affordable housing development.

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E. OWNERSHIP

The dwelling units to be constructed within an affordable housing development in an AG-8, or any AGR or RR zoning districts must be sold or rented to qualified low-income households.

F. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

The number of dwelling units allowed within a single-family detached affordable housing development in an AG-8, AGR or RR zoning districts shall not exceed the density of 3 dwelling units per acre. The dimensional standards of the RSL zoning district shall apply to single-family detached affordable housing.

§6.4.20 STABLE

Boarding or riding stables shall require a minimum lot area of 5 acres. Riding areas and trails shall be limited to the subject parcel upon which the stable is located unless documentation is provided granting access onto other lands. Such documentation shall be provided through written and recorded documents.

§6.4.21 UTILITY SUBSTATIONS

Electricity regulating substations, gas pressure control stations, or similar utility substations shall be subject to the following standards:

- A. The use shall be found to be a requirement for serving the immediate area.
- B. Any structure shall have a setback of not less than 25 feet from all property lines or the minimum setback of the underlying zoning district, whichever is greater.
- C. The uses shall be enclosed by a screen and landscaped, as required by Landscaping, Screening and Buffer requirements contained in Chapter 9 of this Ordinance.
- D. The storage of vehicles and equipment on the premises shall be prohibited except in Community Commercial (CC) or Industrial (I) Zoning Districts.

§6.4.22 VEHICLE SERVICE, LIMITED

Vehicle Service, Limited shall be subject to the following standards:

- A. No outdoor storage of vehicles shall be permitted in conjunction with a limited vehicle service use; and
- B. In zoning districts subject to conditions (C), this use shall have a maximum floor area of 5,000 square feet, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.23 COMMERCIAL TIMBER OPERATIONS

For this use to be allowed, the parcel must have 5 acres or more of forest land.

§6.4.24 MANUFACTURED HOUSING UNITS

A. REPLACEMENT IN RSL AND RSM ZONING DISTRICTS

The replacement of manufactured housing units shall be allowed by-right in the RSL and RSM Districts if the Manufactured Housing Unit has been removed within 60 days of the receipt of the application by the Planning Director. If the Manufactured Housing

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Unit was removed prior to 60 days of the receipt of the application, this use must comply with the requirements and procedures of 6.4.24 B and C of this section

- B. REQUIREMENTS IN RR-3, RR-1, RSL AND RSM ZONING DISTRICTS**
Manufactured housing units placed in RR-3, RR-1, RSL and RSM Zoning Districts shall be skirted by: manufactured skirting, or other materials suitable for exterior use, including corrosion-resistant metal, fiberglass/plastic, wood/wood siding (both must be protected from the elements by water resistant solution/substance), decay resistant wood/pressure treated lumber, and masonry concrete. The enclosed crawl space under the manufactured housing unit must be ventilated. Skirting placed on manufactured housing units in any Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Area must comply with any applicable FEMA requirements.

- C. PLACEMENT IN RSL AND RSM ZONING DISTRICTS**
Placement of a manufactured housing unit within the RSL and RSM Zoning Districts is conditional upon determination by the Planning Director that the area in which the parcel proposed for mobile home placement is characterized either entirely of manufactured homes or a mix of site built and manufactured homes. If the Planning Director determines that the area is not characterized either entirely of manufactured homes or by a mix of site built and manufactured homes, the use shall fall under the Special Exception procedures of this Ordinance.

§6.4.25 SINGLE FAMILY DETACHED

Only one replacement single family detached dwelling unit shall be allowed if destroyed by fire or natural disaster on a parcel and shall be subject to the dimensional standards of the RSM Zoning District.

§6.4.26 PERSONAL IMPROVEMENT EDUCATION

In zoning districts subject to conditions (C), personal improvement education shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.27 HISTORICAL SITE

In zoning districts subject to conditions (C), the operation of historical sites shall be restricted to the hours between 7 a.m. and 8 p.m., otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.28 POSTAL SERVICE, UNITED STATES

In zoning districts subject to conditions (C), any postal service facility shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.29 ADULT OR CHILD DAY CARE FACILITY

All adult or child day care facilities shall comply with the Site Plan Review procedures contained within this Ordinance.

§6.4.30 RECREATION OR ENTERTAINMENT, INDOOR

No indoor shooting ranges shall be allowed in the Commercial Transition (CT) zoning district.

§6.4.31 UTILITY SERVICE, MINOR

Minor Utility Service shall be underground in the Commercial Transition (CT) zoning district.

§6.4.32 PET STORES OR GROOMING SALONS, SMALL ANIMAL BOARD, AND VETERINARY SERVICES
In the nonresidential zoning districts, pet stores, grooming salons, small animal boarding and veterinary services shall have a maximum floor area of 2,000 square feet or less, otherwise these uses shall fall under the special exception procedures of this Ordinance. In the agricultural and residential zoning districts, pet stores, grooming salons, small animal boarding and veterinary services shall have a maximum floor area of 1,500 square feet, otherwise these uses shall fall under the special exception procedures of this Ordinance.

§6.4.33 BANKS AND FINANCIAL SERVICES

In zoning districts subject to conditions (C), banks and financial services shall have a maximum floor area of 5000 square feet or less, otherwise these uses shall fall under the special exception provisions of this Ordinance.

§6.4.34 CATERING SERVICE

In zoning districts subject to conditions (C), catering services shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception provisions of this Ordinance.

§6.4.35 ADMINISTRATIVE OR BUSINESS OFFICE, GOVERNMENT OFFICE, AND PROFESSIONAL OFFICE

In zoning districts subject to conditions (C), administrative or business office, government offices, and professional offices shall have a maximum floor area of 5000 square feet or less, otherwise these uses shall fall under the special exception provisions of this Ordinance.

§6.4.36 SPECIAL TRADE CONTRACTORS

Special Trade Contractors shall be subject to the following standards:

- A. This use excludes any tractor trailer containers in outside storage areas; and
- B. In zoning districts subject to conditions (C), this use shall have a maximum area of 5000 square feet including the building and any outside storage, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.37 PARKING LOTS

In the Commercial Transition (CT) zoning district, all parking lots shall have one canopy tree per six parking spaces and a maximum of fifteen spaces in a row between trees.

§6.4.38 CONSUMER GOODS RENTAL SERVICE

In zoning districts subject to conditions (C), consumer goods rental services shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.39 BOAT YARD

If a boat yard provides dry stack or wet slip storage of watercraft or direct access to the water, this use shall be considered a Water-Dependent use and subject to the Water Dependent Use requirements contained in Chapter 5 of this Ordinance.

§6.4.40 REPAIR SERVICE, CONSUMER

Repair Service, Consumer shall be subject to the following standards:

- A. In zoning districts subject to conditions (C), consumer repair services shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

- B. In the Neighborhood Commercial (CN) zoning district, no outside storage will be allowed.

§6.4.41 LIQUIFIED PETROLEUM GAS DEALERS

The amount of storage for liquid petroleum gas dealers shall be limited to 40,000 gallons per site.

§6.4.42 BUILDING MATERIALS OR GARDEN EQUIPMENT AND SUPPLIES DEALERS

Building Materials or Garden Equipment and Supplies Dealers shall be subject to the following standards:

- A. This use excludes any tractor trailer containers in outside storage areas; and
- B. In zoning districts subject to conditions (C), this use shall have a maximum area of 5000 square feet including the building and any outside storage, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.43 FOOD SALES

In zoning districts subject to conditions (C), food sales shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.44 RETAIL SALES OR SERVICE, GENERAL

In zoning districts subject to conditions (C), retail sales or service, general shall have a maximum floor area of 5000 square feet or less, otherwise the use shall fall under the special exception procedures of this Ordinance.

§6.4.45 SERVICE STATION, GASOLINE

In zoning districts subject to conditions (C), gasoline service stations shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.46 CONSUMER CONVENIENCE SERVICES

In zoning districts subject to conditions (C), consumer convenience services shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.47 PERSONAL IMPROVEMENT SERVICES

In zoning districts subject to conditions (C), personal improvement services shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.48 SERVICES TO BUILDING OR DWELLINGS

In zoning districts subject to conditions (C), services to buildings or dwellings shall have a maximum floor area of 5000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.49 FREIGHT FORWARDING FACILITIES

In zoning districts subject to conditions (C), freight forwarding facilities shall have a maximum floor area of 10,000 square feet or less, otherwise this use shall fall under the special exception procedures of this Ordinance.

§6.4.50 GOLF COURSES

Golf courses shall be subject to the following standards and criteria:

- A. An impact analysis must be submitted that indicates the potential number of members, the characteristics of the golf course membership, a traffic impact analysis and a complete site analysis as detailed below:
 1. Required Site Analysis.
The layout of any golf course shall be determined after preparing the required site analysis. The detailed site analysis will be done in order to identify the site's most significant environmental, historic, cultural, and natural resources. The site analysis will include:
 - a. Vegetation
Characteristics of a vegetation survey related to land use will describe principal, predominant, and significant vegetation, by type, condition, age, use, and general or specific location. Features in the survey will include trees and shrubs, agricultural fields, treelines, native vegetation, orchards, groves, woodlots, pastures, wetlands, forests, and grasslands. The vegetation survey shall indicate any significantly large trees or endangered plant or animal species that may reside on the site and is protected by law.
 - b. Historical, Archaeological and Cultural Resources
Historical resources located within the proposed golf course development must be identified on the plat. Sources such as the County of Charleston Historical Survey (1991), state registers and to federal registers such as the National Register of Historic Places shall be utilized in identifying these resources. The historical survey is important for noting structures and areas that must be protected as designated landmarks.
 - c. Adjacent Land Use Patterns
Land use on adjacent properties shall be identified. Features such as, but not limited to, roads, rice dams, traditional settlement areas, cemeteries, clusters of structures, parks, marinas, and logging areas shall be shown.
 - c. Hydrography
All water features including streams and sensitive areas on the site, such as wetlands and riparian corridors must be located. The purpose of locating these features is to limit disturbance of soil and vegetation that affect water quality features. Hydrography shall be used to determine where water required wetland buffers and other requirements such as drainage easements will be located. Wetland buffers of 50 feet are required on all saltwater marshes, and 35 feet on all protected freshwater wetlands. All water bodies - rivers, streams, drainage channels, marshes or wetland, floodplains and aquifers must be inventoried or identified.

- d. **Wildlife Habitat Areas**
The purpose of identifying wildlife areas is to assess the ecological conditions of the landscape and to provide continuation of these habitat areas. Features of this survey shall include the presence of any threatened or endangered species, natural areas vital to wildlife species, habitat areas that are connected to larger undisturbed natural habitat (connected habitat system). Through this method the study will develop key points or areas that should be left undeveloped, then define those areas most suitable for development.
- B. Within the AG, AGR, RR and RSL Zoning Districts, only Audubon International "Signature Program" golf courses will be allowed.
- C. Potential sites should be selected which allow the golf course to be routed in such a way as to minimize the need to alter, create or remove existing native landscapes, trees, and vegetation, and which provide opportunities for restoration/enhancement of valuable habitat.
- D. Sites which have Archaeologically or Geologically significant, and sensitive or critical habitat or environmental features shall be identified and either relocated or preserved through careful golf course design. Permanent open space easements or other techniques may be used, as appropriate, to effect preservation. The site design shall identify areas for restoration, replanting, and enhancement of riparian and littoral habitat to re-establish wildlife migration corridors and linkages between fragmented habitat areas. Protection and planned restoration/enhancements for such areas during construction and ongoing operation must be ensured. Native habitats and communities of special value to threatened/endangered species shall be preserved to the greatest extent possible, consistent with State and Federal regulation.
- E. Each site selected for golf course development will likely have a variety of habitat types present. These habitat types must be identified and provisions made for routing of the course or relocation of the species.
- F. The site plan should protect drainage systems that support retained vegetation. Ponds shall be developed which mimic conditions in terms of both aesthetics and habitat.
- G. Structures and buildings should be located such that impacts to habitats and significant natural areas are avoided.
- H. Design and Construction Standards
1. Marshes, Creeks and Wetlands
 - a. The golf course design must attempt to minimize the number of marsh, creek or wetland crossing. Marsh, creek or wetland crossings must be designed in such a way to minimize erosion and harmful effects of significant habitat and migration corridors.
 - b. Bridges must minimize alteration of the marsh, creek or wetland environment.

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- c. Design must create and restore riparian habitat, especially in previously degraded habitat areas, and must reduce the impact of alterations necessitated by design and construction of the course.
- d. The course design must employ vegetated buffer strips of sufficient width to mitigate impacts to riparian corridors and other significant habitat which may result from surface drainage of the golf course, cart paths, and other developed areas. In certain circumstances where riparian vegetation has been degraded or does not exist, turf grass and rough areas may be located in closer proximity to the marshes, creeks and wetlands.
- e. Cart paths must be graded such that runoff from them generally does not flow directly into any marsh, creek or wetland.
- f. Construction fencing/siltation barriers must be utilized during the construction phase where needed to protect habitat and marsh, creek or wetland areas.
2. Trees
- a. The selected site must not be heavily forested (with more than 60% tree canopy coverage).
 - b. The design of the course and related facilities must maximize the preservation of clusters or significant stands of trees, particularly grand trees, and otherwise preserve "interior" habitat areas.
 - c. Irrigation systems shall be designated to avoid impacting existing oaks or other sensitive vegetation.
 - d. If required by the Planning Director, a certified professional arborist, botanist, or forester shall be employed by the applicant to evaluate the status of the trees and related habitats on the site and provide direction for restoration and/or enhancement of impacted trees.
 - e. Cart paths within the driplines of trees slated for preservation must be graded in such a way as to not damage or stress the tree.
 - f. Barriers (curbs, fencing, vegetation, etc.) should be established to discourage cart and pedestrian travel off paths located within or adjacent to sensitive habitat.
3. Water Quality
- a. Lined artificial storage ponds must not be located in prime groundwater recharge areas.
 - b. Turf grass species and landscaping around buildings should be selected which are drought resistant or tolerant and which are suited for any special site characteristics or soil conditions.

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- c. State-of-the-art irrigation systems with site meteorological monitoring capability should be used to minimize water use.
- d. If on-site wells or ponds are to be used as the irrigation water source, analysis will be required to determine the safe yield in order to prevent aquifer, off-site wells and/or marsh, creek or wetland depletion. The developer will be held responsible for any negative impact on water supplies to adjacent or nearby properties.
- e. Paved areas should be limited in order to minimize impermeable surfaces, and thereby reduce surface runoff.
- f. The project should employ established best management practices pursuant to the Non-Point Source Program guidelines to control non-point source (stormwater) runoff pollution. For example: impervious liners for detention/retention ponds and water hazards to protect ground and surface water quality; buffer strips, oil/grease separators or other recommended techniques for parking area drainage systems; grease traps and other recommended technologies for facilities such as golf cart maintenance or wash areas to prevent untreated runoff from entering the natural aquatic environmental berms, vegetative strips, grease traps, or other recommended technologies in parking areas for drainage controls to minimize pollution to nearby riparian areas and surface waters.
- g. The overall drainage system should be designed to insure that there is no increase in the velocity or amount of off-site flows during major storm events.
4. Archaeology
- a. The design of the course must preserve significant archaeological areas and/or historical features present on the site.
 - b. Significant archaeological sites must be staked, flagged, or fenced off to insure their protection.
5. Noise
- a. Where possible, clubhouse facilities and other noise-generating uses and facilities should be located away from neighbors who might be impacted.
 - b. Roads must be sited such that traffic noise is minimized for adjacent areas.
6. Growth-Inducing Impacts
- a. The project should not provide infrastructure improvements that would be capable of serving new development other than the proposed project.

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- b. The project should not stimulate economic expansion or growth (e.g. major changes in tax revenue base, employment expansion, etc.) Other than that necessary to serve the proposed project.
- c. The project should not establish a precedent for significant change in current Comprehensive Plan policy.
- d. In cases where the golf course developer owns lands adjacent to the project site, a plan for the potential development of those adjacent lands should be submitted for evaluation.
- e. Deed restrictions, open space easements, or other appropriate techniques must be used to mitigate or prevent growth-inducing impacts inside the development.
- I. Notification
Upon the receipt of a complete application for a golf course, the Planning Department shall notify neighbors within a 300 foot radius, parties in interest, and place notification in the newspaper within 10 days. All notifications shall be done in accordance with the provisions contained in Chapter 3 of this Ordinance.
- J. Time Limit for Staff Review.
Upon the receipt of a complete application for a golf course, the Planning Department shall have a maximum of 45 days to act on the application. Staff's failure to act on the application within 45 days will result in the applicant being granted a Zoning Permit.
- §6.4.51 SOLID WASTE LANDFILL**
Solid Waste Landfills shall comply with all of the requirements contained in the South Carolina Solid Waste Policy and Management Act of 1991, as amended.
- §6.4.52 CONTAINER STORAGE FACILITIES**
- A. Facilities for or including container storage (whether temporary or permanent), shall be subject to the following additional standards.
1. In those instances which proposed container storage facilities are viewed by the Planning Director as having a substantially negative impact on a surrounding area(s) or adjoining property(ies), based on the facility's location, proposed use, permitted use, or actual use of the property, the Planning Director shall bring the matter to the next available meeting of the Board of Zoning Appeals for hearing and decision, pursuant to Article 3.13, and
 2. Uses are separated from any adjoining uses or public or private rights-of-way, excluding points of ingress or egress, by way of either:
 - a. A suitably landscaped earthen berm sufficient to screen neighboring or nearby property from the facility; and in no event less than eight (8) feet in height above finished grade; or
 - b. A solid concrete, brick or masonry wall of not less than (10) feet in height above finished grade and completely screened from view from public-rights-of-way by way of a vegetative buffer; and

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- c. Container stacking may be permitted, where appropriate, pursuant to an approved container stacking plan. Such plan shall, at a minimum, include a site plan showing the location of all abutting streets and sidewalks, all internal travel-ways, a stagger stacking schedule, and the proposed maximum stacking height. A suitable stacking plan shall not feature a slope exceeding a rise/run of 1/4 and shall include a perimeter buffer of not less than thirty (30) feet from the nearest stored container, the nearest sidewalk edge, right-of-way edge, or property line.

B. Amortization Provided

Any facility involved in, or location used for, the purposes provided within Section 6.4.52 and not zoned Industrial (I) as of November 20, 2001, shall cease operations no later than November 20, 2004. Any facilities engaged in stacked storage as of November 20, 2001, shall come into compliance with Section 6.4.52 by November 20, 2004, and shall also be bound by the three(3) year general amortization schedule provided for herein above.

§6.4.53 CEMETERIES

Cemeteries require a minimum 5 acre lot area, a minimum 25 foot landscaped buffer from adjacent properties, and completion of the Site Plan Review process. Non-commercial, family cemeteries shall be allowed. Cemeteries on the same lot as or on a lot adjacent to a religious facility shall be allowed as a use of right.

§6.4.54 KENNEL

A minimum of a 5 acre lot, and a minimum of a 100 foot screened and landscaped buffer from all adjacent properties is required.

§6.4.55 RECYCLING COLLECTION, DROP-OFF

Facilities providing recycling collection, drop off centers, shall comply with the Site Plan Review procedures contained within this Ordinance.

§6.4.56 AIRPORTS, HELIPORTS AND OTHER AIRCRAFT LANDING/TAKEOFF FACILITIES

Facilities providing landing and/or takeoff areas, service, hangar, or storage for aircraft, helicopters, lighter than air aircraft, hot-air balloons, or other similar craft, must comply with the Planned Development Procedures contained within this Ordinance.

Art 6.5 ACCESSORY USES AND STRUCTURES

§6.5.1 ACCESSORY USES AND STRUCTURES ALLOWED

Permitted uses and approved Special Exception uses shall be deemed to include accessory uses and structures that are necessarily and customarily associated with, and appropriate, incidental, and subordinate to the allowed principal use. Accessory uses and structures shall be subject to the same regulations as apply to principal uses and structures in each zoning district, unless otherwise expressly stated.

A. AGRICULTURAL

Accessory agricultural uses shall include all residential accessory uses and those accessory uses and activities customarily associated with agricultural operations, as determined by the Planning Director. Barns and farm-related structures, including

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4. Off-street parking areas (which may be located on a separate parcel pursuant to the requirements contained in Chapter 9);
5. Radio and television receiving antennas and support structures;
6. Recreation areas and facilities for the use of employees;
7. Cafeterias, dining halls and similar food services when operated exclusively for the convenience of employees, clients, or visitors to the principal use;
8. Day care facilities when operated exclusively for the convenience of employees of the principal use;
9. Gift shops, news stands and similar commercial activities operated exclusively for the convenience of employees, clients, or visitors to the principal use;
10. Solar Collectors, subject to Section 6.5.4; and
11. Other necessary and customary uses determined by the Planning Director to be appropriate, incidental and subordinate to the principal use on the lot, subject to compliance with any standards contained within this Ordinance.

D. INSTITUTIONAL AND CIVIC

The following uses and structures shall be allowed as accessory uses and structures to allowed institutional and civic uses:

1. Refreshment stands and food and beverage sales located in uses involving public assembly;
2. Cafeterias, dining halls and similar food services when operated primarily for the convenience of employees, residents, clients, patients or visitors to the principal use;
3. Gift shops, news stands and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients or visitors to the principal use;
4. Recreation areas and facilities for the use of employees;
5. Solar collectors, subject to Section 6.5.4 of this Chapter; and
6. Other necessary and customary uses determined by the Planning Director to be appropriate, incidental and subordinate to the principal use on the lot, subject to compliance with any standards contained within this Ordinance.

§6.5.2 TIME ESTABLISHMENT

Unless otherwise expressly permitted in this Ordinance, no accessory use shall be established and no accessory structures shall be allowed on the subject parcel until after all required permits and approvals for the principal use or activity have been obtained. No accessory structure shall be used unless the principal structure on the lot is also being used.

roadside stands selling sweetgrass baskets or indigenous produce grown or produced on the farm where the roadside stand is located, shall be allowed on all parcels in Agricultural zoning districts, even if the subject parcel does not contain a primary structure.

B. RESIDENTIAL

The following uses and structures shall be allowed as accessory uses and structures to allowed residential uses:

1. Fences and walls;
2. Garages, carports and off-street parking areas;
3. Gate houses and guard houses;
4. Home occupations, subject to Section 6.5.9;
5. Playhouses, patios, cabanas, porches, gazebos and incidental household storage buildings;
6. Radio and television receiving antennas;
7. Recreational and play facilities for the use of residents;
8. Solar collectors, subject to Section 6.5.4;
9. Tennis courts, swimming pools and hot tubs;
10. Accessory Dwelling Units, subject to Section 6.5.7;
11. Barns and farming-related structures even if the subject parcel does not contain a primary structure or use, provided that no agricultural or farm-related structure on a parcel of one acre or less in an RSL or RSM district shall exceed 250 square feet in area;
12. The selling of sweetgrass baskets is allowed as an accessory use in all Agricultural Zoning Districts and in RR-3, RR-1, and RSL Zoning Districts; and
13. Other necessary and customary uses determined by the Planning Director to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any standards contained within this Ordinance.

C. COMMERCIAL AND INDUSTRIAL

The following uses and structures shall be allowed as accessory uses and structures to allowed commercial and industrial uses:

1. Dwelling units for security or maintenance personnel which shall not exceed 800 square feet (refer to Section 6.5.7.C of this Chapter);
2. Fences and walls;
3. Gates and guard houses;

County of Charleston Zoning and Land Development Regulations [November 20, 2001]

§6.5.3 ACCESSORY STRUCTURES IN RESIDENTIAL, OR AND CT ZONING DISTRICTS

Unless otherwise expressly stated and in addition to any other applicable provisions of this ordinance, accessory structures in residential, OR and CT zoning districts shall be subject to the following standards:

- A. An accessory structure erected as an integral part of the principal structure shall be made structurally a part thereof, shall have a common wall therewith, and shall comply in all respects with the requirements of these and other regulations applicable to principal structures.
- B. A detached accessory structure shall be located:
 1. On the rear 2/3 of the lot or behind the principal structure, provided that this limitation shall not apply to carports or garages;
 2. At least 8 feet from any existing dwelling or dwelling under construction;
 3. At least 3 feet from any interior lot line in a residential district; if in an OR or CT district that abuts a residential district, the accessory structure in the OR or CT district shall be located at least 10 feet from the abutting interior lot line; when an OR or CT district abuts another O, C or I district, setbacks for accessory structures are not required; and
 4. If on a corner lot, the accessory structure shall not project in front of the front building line required or existing on the adjacent lot.
- C. A detached accessory structure may be constructed on an adjacent vacant lot if both lots are in the same ownership.
- D. Accessory structures shall not cover more than 35 percent of the area of the required rear setback.
- E. See also the Accessory Dwelling Unit provisions of Section 6.5.7 contained within this Chapter.

§6.5.4 SOLAR COLLECTORS

Solar collectors shall be permitted provided that the following performance standards are met:

- A. Roof-mounted residential building solar collectors located on front or side building roofs visible from the public right-of-way shall not extend above the peak of the roof plane where it is mounted, and no portion of any such solar collector shall extend more than 24 inches as measured perpendicularly to the roof at the point where it is mounted.
- B. Roof-mounted residential building solar collectors located on the rear or interior side building roofs shall not extend above the peak of the roof plane where it is mounted and no portion of any such solar collector shall extend more than four feet as measured perpendicularly to the roof at the point where it is mounted.
- C. Ground-mounted solar collectors shall not exceed 8 feet in total height and shall be located to meet all setback requirements.

- D. All utility service lines serving a ground-mounted solar system shall be located underground.
- E. Any system incorporated into a nonresidential building shall be integrated into the basic form and main body of the building. If roof mounted, all collector panels shall fit into the form of the roof; if the building's roof is sloped or if "rack" mounting is used on a flat roof, the mounting must be concealed from view at street level. Exposed rack supports and free standing collectors apart from the main building shall not be permitted.
- F. Roof mounted solar energy systems mounted on "accessory or detached buildings" are allowed on detached garages or swimming pool equipment buildings. Detached "greenhouses" are also acceptable. No free-standing panels shall be allowed.
- G. If an active solar or photovoltaic solar system is utilized, all components servicing the collector panels shall be concealed, including mechanical piping and conduits.
- H. All exposed metal shall be of a color that will blend into its surroundings.

§6.5.5 ACCESSORY STORAGE OF MAJOR RECREATIONAL EQUIPMENT

No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.

§6.5.6 ACCESSORY RETAIL SALES AND PERSONAL SERVICES

Personal services and retail sales established with the express purpose of providing a convenience for tenants of multi-family or office development shall be permitted, subject to the following limits:

- A. The accessory activity shall be located on the same zoning lot as the principal use;
- B. The gross floor area of the accessory use shall not exceed 10 square feet per dwelling unit in a multi-family development or 5 percent of the gross floor area in an office development.

§6.5.7 ACCESSORY DWELLING UNITS

In agricultural and residential zoning districts, 1 accessory dwelling unit may be established on an existing zoning lot if reviewed and approved, subject to the following standards:

- A. The zoning lot must have a minimum area at least 50 percent larger than the minimum area required for a principal residential structure.
- B. Only 1 accessory unit shall be permitted per zoning lot.
- C. The heated gross floor area of the accessory dwelling unit shall not exceed 800 square feet in any residential district or shall not exceed 1200 square feet in any agricultural district.
- D. Separate electrical meters shall not be allowed for attached accessory dwellings.

§6.5.8 MANUFACTURED HOUSING UNITS

- A. In agricultural zoning district, a manufactured housing unit may be used for 1 caretaker's quarters. It shall not be permitted for other than residential use unless authorized elsewhere in this Ordinance.
- B. Applications to use manufactured housing units for temporary use while construction is in progress on a permanent structure shall be submitted to the Planning Director for a Construction Permit in accordance with Temporary Zoning Permit requirements of this Ordinance. Such a temporary unit shall be removed from the premises within 30 days of issuance of a certificate of occupancy for the permanent structure.
- C. Manufactured housing units may be utilized for classroom and related use for a 2-year period or as otherwise expressly provided in the approval of a Special Exception. The period of use may be extended upon application and proper findings by the Board of Zoning Appeals.
- D. Where needed for the general welfare of the public, governmental entities may utilize manufactured housing units as classrooms, clinics, offices and caretaker's quarters, provided Special Exception approval has been obtained.

§6.5.9 HOME OCCUPATIONS**A. GENERAL**

Some types of work can be conducted at home with little or no effect on the surrounding neighborhood. The home occupation regulations of this section are intended to permit residents to engage in home occupations, while ensuring that home occupations will not be a detriment to the character and livability of the surrounding area. The regulations require that home occupations (an accessory use) remain subordinate to the principal residential use of the property and that the viability of the residential use is maintained. Zoning Permits shall be required for all home occupations.

B. WHERE ALLOWED

Home occupations that comply with the regulations of this section shall be allowed as an accessory use to any allowed residential or agricultural principal use.

C. ALLOWED USES

The home occupation regulations of this section establish performance standards rather than detailed lists of allowed home occupations. Uses that comply with all of the standards of this section will be allowed as home occupations unless they are specifically prohibited.

D. PROHIBITED USES**1. Vehicle/Equipment Repair, Rental or Sales**

Any type of repair, rental, sales or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts is prohibited as a home occupation in the RSL, RSM, MHS, and MHP Zoning Districts, unless these types of

repairs, rentals, or sales take place in an enclosed structure and pose no noise or safety concerns

2. Restaurants

Restaurants and food service establishments are not allowed as home occupations. Food service for Bed and Breakfasts shall be allowed under this Ordinance.

3. Employee Dispatch Centers

Dispatch centers, where employees come to the site to be dispatched to other locations, are not allowed as home occupations.

4. Animal Care or Boarding

Animal care or boarding facilities (including animal hospitals, kennels, stables and all other types of animal boarding and care facilities) are not allowed as home occupations in the RSL, RSM, MHS and MHP Residential Zoning Districts.

5. Medical Offices or Clinics

Medical offices and medical clinics are not allowed as home occupations in the RSL, RSM, MHS and MHP Residential Zoning Districts. This includes doctors' offices, dentists' offices, psychologists' offices, hospitals and all other medical care facilities. The prohibition shall not be interpreted as preventing medical practitioners from seeing patients in the practitioner's home on an emergency basis.

6. Funeral Homes

Funeral homes and funeral service activities are not allowed as home occupations.

7. Barber Shops, Beauty Shops and Nail Salons

Barber and Beauty Shops are allowed as a home occupation in all residential districts with a maximum of one chair.

8. Dancing Schools

Dancing schools are not allowed as home occupations.

E. EMPLOYEES

Only one full-time or one part-time employee, who is not a full-time resident of the home where the home occupation is located, is allowed. The home occupation may have other employees who are not working at the residence, but work at other off-site locations, if applicable. For the purpose of this provision, the term "nonresident employee" includes an employee, business partner, co-owner, or other person affiliated with the home occupation, who does not live at the site, but who visits the site as a part of the home occupation.

F. RESIDENT OPERATOR

The operator of a home occupation shall be a full-time resident of the dwelling unit.

G. CUSTOMERS

Customers may visit the site of a home occupation only during the hours of 8 a.m. to 8 p.m., with no more than an average of one customer or client per hour being allowed.

H. FLOOR AREA

No more than 25 percent of the total floor area of the dwelling unit may be used to house a home occupation, except that Bed and Breakfasts allowed by this Ordinance are exempt from this provision. Up to 1,000 square feet of an accessory structure, such as a garage, may be used for a home occupation.

I. OUTDOOR ACTIVITIES

All activities and storage areas associated with home occupations must be conducted in completely enclosed structures.

J. EXTERIOR APPEARANCE

There shall be no visible evidence of the conduct of a home occupation when viewed from the street right-of-way or from an adjacent lot. Signs for a home occupation are expressly prohibited. There may be no change in the exterior appearance of the dwelling unit that houses a home occupation or the site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, adding additional entrances to the dwelling unit or adding signs or commercial-like exterior lighting.

K. OPERATIONAL IMPACTS

No home occupation or equipment used in conjunction with a home occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage that is perceptible beyond the lot line of the lot upon which the home occupation is conducted. No hazardous substances may be used or stored in conjunction with a home occupation.

L. TRUCKS

Not more than one truck, truck cab, or van used in conjunction with a home occupation may be parked at the site of the home occupation in any RR-1, RSL, RSM, MHS, or MHP Zoning District. No semi-truck trailers shall be allowed in these zoning districts.

M. DELIVERIES

No more than four (4) deliveries or pick-ups of supplies or products associated with home occupations are allowed between the hours of 8 a.m. and 8 p.m.

N. SALES

No article, product, or service may be sold in connection with a home occupation, other than those produced on the premises or comprise 25 percent or less of the gross receipts.

§6.5.10 ANIMALS

A. The keeping of household pets shall be allowed as an accessory use in all zoning districts in which residential dwelling units are permitted.

B. The keeping of exotic or wild animals shall not be allowed as an accessory use and shall only be allowed if approved as a Special Exception in accordance with the procedures contained in Chapter 3 of this Ordinance.

§6.5.11 VEHICLE SALES

Not more than 2 operable or inoperable motor vehicle may be offered for sale upon any lot unless such sales activities are otherwise expressly authorized by this Ordinance. A vehicle for sale upon a lot in a residential zoning district must be owned by the owner of the subject lot and must comply with Section 6.5.12.

§6.5.12 STORAGE AND REPAIR OF INOPERABLE MOTOR VEHICLES

- A. In all zoning districts, the open storage and or repair of inoperable motor vehicles is not permitted within the required front setback.
- B. In all agricultural and rural residential zoning districts, the open storage or repair of more than 2 inoperable motor vehicles must be screened by a fence, wall, building, or vegetative buffer that completely shields the vehicles from view off-site.
- C. In suburban residential zoning districts, all inoperable vehicles must be stored in the rear or side yard. All inoperable vehicles in the suburban residential zoning districts must be screened by a fence, wall, building or vegetative buffer that completely shields the vehicles, recreational vehicles, boats, etc., from view off-site.
- D. In all suburban residential zoning districts, storage of motor vehicle parts is permitted only within a completely enclosed accessory structure located on the same lot as the principal dwelling unit.
- E. Storage of commercial vehicles in residential zoning districts, unless otherwise expressly authorized by this Ordinance, is limited to one vehicle used as personal transportation.

Art 6.6 TEMPORARY USES

§6.6.1 ACCESSORY USES AND STRUCTURES ALLOWED

The Planning Director shall be authorized to approve the temporary placement and use of a manufactured housing unit as an accessory dwelling unit in accordance with the following standards.

- A. Administrative Permit approval shall be required in accordance with the procedure contained in Chapter 3 of this Ordinance.
- B. The Administrative Permit shall be restricted to the temporary use of a manufactured housing unit for residential purposes on the same zoning lot with a single-family detached residential dwelling or a manufactured housing unit or on an individual abutting zoning lot. The following criteria shall be utilized to determine the need for the temporary variance.
 - 1. The person who will occupy the manufactured housing unit is a relative by blood or marriage.
 - 2. The accommodations (manufactured housing unit) proposed are of a temporary nature which can be easily removed after expiration of the permit.
 - 3. The physical and/or mental conditions of the person who will occupy the manufactured housing unit shall be certified by a physician.

- 4. Written approval of all abutting landowners shall be required.
 - 5. The proposed manufactured housing unit installation shall meet South Carolina Department of Health and Environmental Control (DHEC) standards and have their written approval.
- C. The Planning Director may revoke or terminate the Administrative Permit at the request of the initiating applicant or upon finding that permit conditions are being violated. The temporary accommodations, together with any associated services, shall be removed from the premises within 30 days after notice of termination.
 - D. Administrative permits for such use shall be valid for a maximum of 1 year, with renewal subject to the provisions contained within Chapter 3 of this Ordinance.

§6.6.2 TEMPORARY SALES

- A. Auctions or garage sales of second-hand merchandise which has been used on the premises may be conducted on a zoning lot where permitted as an accessory use elsewhere in these regulations. Such sales may be conducted only once in a calendar year from the same zoning lot.
- B. The sale of Christmas trees, fireworks and turkey shoots are authorized where permitted as an accessory use and shall not exceed a total time period of 60 days during a one year period. This time period shall commence from the first date that such uses, individually or collectively, are approved or established, whichever is first.
- C. Other temporary sales of merchandise shall be permitted as a temporary, accessory use to an approved principal use (such as in an off-street parking lot), provided that the maximum term for such permit shall not exceed 5 days, and no more than 4 such permits may be issued per lot per calendar year.

§6.6.3 SALE OF INDIGENOUS PRODUCE

A temporary administrative permit may be issued for a period not to exceed 6 months each year, allowing the sale of produce grown in Charleston County at temporary locations by Charleston County residents. The Planning Director will issue a Temporary Agricultural Sales Permit for a lot of record after being satisfied that the sale of indigenous produce is occurring out of the road right-of-way, that there are not traffic safety problems caused by the sale, that at least 2 cars can be safely parked near the vendor, and that the vendor has obtained the permission of the property owner prior to selling the indigenous produce. The purpose of this provision is to ensure pedestrian and vehicle safety at the roadside stands. Site plan review will be performed by the Planning Department. Temporary hookup of electricity may be allowed during the 6-month period of time that the Permit is in effect each year. Temporary Agricultural Sales Permits are to be issued by the Planning Director, and are not renewable or transferable. A Temporary Agricultural Sales Permit for a lot of record shall only be permitted 1 time per year. No permits of any nature are necessary for roadside stands selling sweet grass baskets or indigenous produce that are produced or grown on the property where the roadside stand is located.

§6.6.4 ASSEMBLY USES AND PARKING FOR SPECIAL EVENTS

Temporary public assembly use and events of public interest, such as cultural events, circuses, outdoor concerts and parking for special events, shall require a temporary administrative permit from the Planning Director. Such permit shall not be issued for periods in excess 5 consecutive days, and

no more than 5 such permits may be issued per lot, per calendar year. Temporary permits shall be issued only if adequate parking and sanitary facilities are provided to serve the proposed use or activity. Any temporary event utilizing 25 acres of land area or more shall require Special Exception approval in accordance with the procedures contained in Chapter 3 of this Ordinance.

§6.6.5 CONSTRUCTION FACILITIES

- A. Accessory construction facilities shall be permitted to establish an operations base in any zoning district upon obtaining Special Exception approval after it is determined that such construction facilities area incidental to an necessary for such construction or installation within a 3-mile radius of the operations base.
- B. Each such permit shall specify the location of the proposed facility and define the area and boundaries thereon to be served. The permit shall be granted for not more than 1 year and upon proper application be extended a similar period of time for the same site. Upon termination of the permit, all materials used in the construction or installation shall be removed from the premises.
- C. Ingress and egress from such facilities shall be only from major arterials or collector streets which give rise to the least traffic through residential areas.
- D. Included in accessory construction facilities are temporary batching plants for asphaltic or Portland cement concrete, temporary buildings, field storage of materials and/or equipment.

CHAPTER 7 | RESERVED FOR FUTURE USE

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CHAPTER 8 | SUBDIVISION REGULATIONS

ART. 8.1 GENERAL

§8.1.1 PURPOSE

The public health, safety, economy, good order, appearance, convenience, morals and general welfare require the harmonious, orderly, and progressive development of land within Charleston County. In furtherance of this general intent, the Subdivision Regulations are authorized for the following purposes, among others:

- A. To implement the goals, objectives and policies of the *Charleston County Comprehensive Plan*;
- B. To facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements;
- C. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, environmental, transportation, and other public purposes;
- D. To assure, in general, the wise and timely development of new areas and redevelopment of previously developed areas in harmony with the adopted or amended *Comprehensive Plan* for Charleston County and any adopted or amended municipal comprehensive plan within or adjacent to the County;
- E. To implement land use policies that will preserve agricultural uses of land and the rural character of unincorporated Charleston County;
- F. To identify, protect and preserve scenic, historic, and ecologically sensitive areas;
- G. To prevent overcrowding of land, avoiding undue concentration of population, and lessening congestion in the streets;
- H. To regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes; and
- I. To ensure protection from fire, flood, and other dangers, and furthering the public welfare in any other regard specified by a local governing body.

§8.1.2 APPLICABILITY

Unless expressly exempted, no subdivision shall be made, platted, or recorded for any purpose nor shall parcels resulting from such subdivisions be sold, unless such subdivision meets all applicable standards of this Ordinance and has been approved in accordance with the procedures of this Ordinance.

- A. All lots shown on plats whether subdivided or not, shall have the Planning Commission Stamp of either approval or exemption on said plat; the Register of Mesne Conveyance shall not record any plat without such stamp. The plat for an individual lot exempted

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by virtue of pre-existence must be accompanied by a surveyor's statement on the plat that the lot is a single, individual lot, and not newly created

- B. Parcels that were recorded by deed or plat prior to the adoption of the County's original Subdivision Regulations on January 1, 1955, will receive automatic approval under a Grandfather Clause...
C. Preliminary Plats submitted for approval shall expire 2 years from the date of preliminary approval...

§8.1.3 EXEMPTIONS

A. PROCEDURES

The following shall be exempt from the Subdivision Plat Procedures, if the Planning Director determines that all engineering and survey standards of this Ordinance have been met.

- 1. The combination or re-combination of portions of previously platted lots where the total number of lots is not increased...
2. The public acquisition of land for right-of-way or drainage easements...
3. Contiguous properties that are to be divided for the purpose of exchanging or trading parcels of land...
4. A parcel of land that is proposed to be used as the site for a utility substation...
5. The combination or recombination of entire lots of record where no new street or change in existing streets is involved...
6. The division of land into parcels of 5 acres or more, where no new street or easement is involved...

B. STANDARDS

Lots created and recorded prior to August 15, 1971, shall be exempt from compliance with the standards of this chapter, provided that the subject property:

- 1. was or is surveyed and platted in accordance with prescribed standards;
2. has the approval of the South Carolina Department of Health and Environmental Control (DHEC); and
3. contains no drainage ways or easements needed to drain surrounding properties...

§8.1.4 CHARLESTON COUNTY ROAD CONSTRUCTION STANDARDS

The regulations and standards of this chapter are intended to supplement the Charleston County Road Construction Standards, as amended, in Appendix A of this Ordinance, which shall be considered the minimum design standards for roads and drainage systems in Charleston County.

§8.1.5 RELATIONSHIP TO DEVELOPMENT REVIEW PROCEDURES OF ARTICLE 3

The "General" procedural requirements and standards of Article 3.1 of this Ordinance shall apply to the subdivision plat procedures of this Chapter.

§8.1.6 SURVEY COMPLIANCE

All land surveys in the County shall be in accord with the land use designated for the proposed subdivision of property and the criteria specified in Urban Land Surveys as promulgated by the South Carolina Code of Regulations, 1991, Chapter 49, Article 3, R.400-490, as amended, and described as the "Minimum Standards Manual for the Practice of Land Surveying in South Carolina."

ART. 8.2 PRE-APPLICATION INFORMATION

§8.2.1 PRE-APPLICATION CONFERENCE

Pre-application Conferences offer an opportunity for Planning, Public Works and other affected agencies to familiarize applicants with applicable procedures, submittal requirements, development standards, and other pertinent matters before finalizing the development proposal or laying out the proposed subdivision.

ART. 8.3 MINOR AND MAJOR SUBDIVISIONS

§8.3.1 MINOR SUBDIVISION

A minor subdivision is a division of any tract of land into 10 or fewer lots, provided that:

- A. no public street right-of-way dedications are involved;
B. the Public Works Director does not require a Preliminary Plat for a drainage easement;
C. the lots meet South Carolina Department of Health and Environmental Control (DHEC) requirements for an acceptable sewage disposal system...

off-site sewage disposal systems must be approved by DHEC and an off-site utility easement must be shown along with all lots served by the off-site system; and

- D. no new or residual parcels will be created that do not comply with all applicable requirements of this Ordinance.

§8.3.2 MINOR SUBDIVISION PROCESS

Applications for minor subdivisions shall be submitted to the Planning Director on forms available in the Planning Department. There is one required step in the Minor Subdivision process which is Final Plat review and approval.

§8.3.3 MAJOR SUBDIVISION

Any land division that is not a Minor Subdivision shall be processed as a "Major Subdivision." All Major Subdivision applicants are required to attend a Pre-application Conference.

§8.3.4 MAJOR SUBDIVISION PROCESS

Applicants for major subdivisions are required to schedule and attend a Pre-application Conference prior to filing a major subdivision application. After the pre-application conference, there are two required steps in the process: (1) Preliminary Plat review and approval; and (2) Final Plat review and approval.

COMMENTARY

Approval from other local, state or federal agencies may be necessary in the development of land in Charleston County, particularly in regard to environmental concerns. Pre-application conferences should be held with these agencies, including the South Carolina Department of Health and Environmental Control, Coastal Resource Management, U.S. Army Corps of Engineers and the U.S. Fish & Wildlife Service.

- A. a plat, or survey of the subject property, if available, or a tax map that identifies the subject property; and
B. a Concept Plan that includes the following information:
1. the proposed means of access to a public road;
2. surrounding land uses;
3. all adjacent roads;
4. a preliminary map and analysis of natural resources present on the subject property and surrounding property; and
5. a conceptual layout of the proposed subdivision, which shall be overlaid on the preliminary site analysis and which shall show streets, drainage, lots, parks and other facilities located to protect natural resource areas

ART. 8.4 PRELIMINARY PLAT

§8.4.1 APPLICABILITY

Preliminary Plats shall be required for all Major Subdivisions.

§8.4.2 APPLICATION

A. REQUIREMENTS

The following shall be submitted:

- 1. Completed applications for Preliminary Plat approval shall be submitted to Planning Director on forms available in the Planning Department. Ten copies of the Preliminary Plat shall be filed with the application.
2. Preliminary Plats shall be drawn to engineer's scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on 1 or more sheets, 22 inches by 34 inches in size. For small areas being platted, a scale of 1" = 100' shall be used.
3. Even if the applicant intends to subdivide only a portion of a parcel or tract of land initially, the Preliminary Plat shall show a proposed street and lot layout, drainage plan and other requirements for the entire parcel or tract of land in which such portion is contained; except that the Planning Director, with the recommendation of the Public Works Director, may waive this requirement on a finding that such a complete layout is not necessary to carry out the purposes of these regulations.
4. The following information shall be required on each plat:
a. The courses and distances of the perimeter of the land involved shall be indicated on the plat shown with all courses marked to show which are actual field observations and which are computed.
b. References to a known point or points such as street intersections and railroad crossings shall be shown.
c. The total acreage of the land involved in the subdivision, and the acreage of high land above the Office of Coastal Resource Management Critical Line. Date of Critical Line certification shall be indicated. (Aerial photography may not be used to determine OCRM Critical Line location.)
d. The names of adjacent land owners and streets where known or available shall be given (with the tax parcel numbers), and all intersecting boundaries or property lines shall be shown.
e. Proposed divisions to be created shall be shown, including building envelopes for each lot, right-of-way widths, roadway widths, road surface types, sidewalks (if applicable), proposed drainage easements, and names of streets; the locations of proposed utility installations and utility easements; lot lines, dimensions and angles; sites reserved or

- dedicated for public uses; and sites for apartments, civic/institutional, commercial and industrial uses. The status of the existing lot access and the concept of the type of road construction being proposed shall be indicated (e.g., Ingress/Egress Easement, Private Road constructed or unconstructed, Public Secondary or Primary Rural Road, Public Secondary or Primary County Road, and other details as appropriate; i.e., curb and gutter, asphalt swales, inverted crown, roadside open ditch, etc.).
- f. The title, scale (including graphic scale), north arrow (magnetic, grid, or true), date, name of applicant and the name and seal of engineer or surveyor with South Carolina Registration Number shall be shown.
- g. All existing structures and physical features of the land, including contours (contours not required on proposed private subdivisions, and only within the right-of-ways of proposed rural public streets), drainage ditches, roads and wooded areas shall be shown. The contour interval shall be 1 foot, unless otherwise approved in advance of submission by the Public Works Director. All contour information shall be based on mean sea level datum and shall be accurate within 1/2 foot. The Bench Mark, with its description, and the datum used for the survey shall be clearly noted on the plat.
- h. General drainage features, including proposed drainage easements and detention/retention basins. Also the proposed direction of drainage on each street, ditch and lot shall be indicated by the use of arrows and proposed street names.
- i. The location of required landscape buffers as specified in Chapter 9 of this Ordinance, which shall not be located within drainage easements unless expressly approved by the Public Works Director.
- j. Jurisdictional wetlands, with the date of certification, on lots of five acres or less in size and within all publicly dedicated right-of-ways and easements.
- k. A notation shall be made on the plat clearly indicating the applicable OCRM Critical Line buffers and setbacks.
- l. Tree Surveys on lots of one acre or less are to include Grand trees on the entire lot. Tree surveys of Grand trees may be requested upon site inspection if lots greater than one acre appear to be unbuildable due to the presence of Grand trees.
- m. Tree Surveys of all Grand trees are required within access easements, drainage easements, and right-of-ways.
- n. A signature block on the plat, signed by the owner(s) of the property and notarized indicating that the proposed preliminary plat being put forth is an action of the owner, heirs thereto or assigns.

COMMENTARY

For the purpose of preliminary plat applications, a complete application means one that includes all required information and fees and that addresses the findings of the inspection report and has received all approvals from other agencies that are a prerequisite to preliminary plat approval.

- o. A vacant block shall be provided on each page of the plat that is 3 inches by 8 inches in dimension for Charleston County approval stamps and notations.
- 5. Accompanying Data
 - a. The Preliminary Plat shall be accompanied by a statement as to the availability of and specific indication of the distance to and location of the nearest public water supply and public sanitary sewers.
 - b. The Preliminary Plat shall be accompanied by a statement indicating what provision are to be made for water supply and sewage disposal.
 - c. Proposed subdivisions encompassing 100 or more acres of land area shall provide a master plan showing the general layout of future development of the entire tract and on adjacent lands that are under common ownership or control. This master plan shall provide a generalized description and plan that addresses the following future development considerations: traffic circulation, drainage, environmental preservation, utility placement, land use, density and any areas that are to remain undeveloped.
 - d. The engineer and/or surveyor who prepared the Preliminary Plat shall affix their seal(s), name(s), and South Carolina registration number(s). Only engineers or surveyors registered in the State of South Carolina shall attest and fix their seal on the Preliminary Plat.

§8.4.3 PLANNING DIRECTOR REVIEW AND REPORT

Upon receipt of a complete application for Preliminary Plat approval, the Planning Director shall have 30 calendar days to (1) review the proposed Preliminary Plat; (2) compile a staff report on the proposed plat (which includes the comments and recommendations of the Public Works Director and other affected agencies); and (3) forward the report and any recommendations to the Planning Commission.

§8.4.4 PLANNING COMMISSION REVIEW AND DECISION

Within 30 calendar days of receipt of a report from the Planning Director, the Planning Commission shall review the proposed Preliminary Plat and act to approve, approve with conditions, or deny the Preliminary Plat based on whether it complies with all applicable requirements of this Ordinance and the adopted Charleston County Comprehensive Plan.

§8.4.5 EFFECT OF PRELIMINARY PLAT APPROVAL

Approval of a Preliminary Plat shall constitute general acceptance of the overall planning concepts for the proposed subdivision and is a prerequisite for the filing of a Final Plat application.

§8.4.6 LAPSE OF PRELIMINARY PLAT APPROVAL

An approved Preliminary Plat shall lapse and be of no further force and effect if a Final Plat for the subdivision (or a phase of the subdivision) has not been approved within 2 years of the date of approval of the Preliminary Plat. If the subdivision is to be developed in phases, a phasing plan, including a timetable for development of the entire subdivision, shall be approved as part of the Preliminary Plat approval. No final plats shall be accepted and no construction shall be allowed for any phase not approved as part of the Preliminary Plat.

§8.4.7 APPEALS OF PLANNING DIRECTOR'S PRELIMINARY PLAT DECISION

Any party in interest in a Preliminary Plat decision of the Planning Director regarding a complete or incomplete application may appeal the decision to the Planning Commission by filing an appeal with the Planning Director within 30 calendar days of the date of the decision.

A. APPEAL POWERS

In exercising its appeal power the Planning Commission may reverse or affirm, wholly or partly, or may modify the decision on appeal. In acting upon the appeal the Planning Commission shall be authorized only to determine whether the decision of the Planning Director was made in error. The Planning Commission shall not be authorized to approve modifications or waivers of Ordinance standards through the appeal process. If the Planning Commission determines that it is necessary to obtain additional evidence in order to resolve the matter it may remand the matter to the Planning Director with directions to obtain such evidence and to reconsider the decision in light of such evidence.

COMMENTARY

Appeals of Planning Director and other subdivision-related administrative decisions (including decisions to reject applications as incomplete) shall be processed in accordance with Article 3.14 described in Chapter 3.

B. CONSIDERATION OF EVIDENCE

The decision of the Planning Commission shall be a matter of record, it shall consider only the same application, plans, and related project materials that were the subject of the original decision and only the issues raised by the appeal.

C. BURDEN OF PERSUASION OF ERROR

In acting on the appeal, the Planning Commission shall grant to the decision of the Planning Director a presumption of correctness, placing the burden of persuasion of error on the appellant.

D. APPROVAL CRITERIA

An appeal shall be sustained only if the Planning Commission finds that the decision of the Planning Director was in error.

E. VOTE REQUIRED

A quorum of the Planning Commission shall be achieved when the number of members in attendance equals more than one-half (1/2) of its total membership. At least two-thirds (2/3) of the members present and voting shall be required to reverse a final plat decision of the Planning Director.

§8.4.8 APPEALS OF PLANNING COMMISSION PRELIMINARY PLAT DECISION

Any party in interest in a Preliminary Plat decision of the Planning Commission or any officer, board, or bureau of the County may appeal the Planning Commission decision to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after actual written notice of the Planning Commission's decision.

§8.4.9 CONSTRUCTION PLANS

After approval of a Preliminary Plat and before commencing any work within the proposed subdivision (including land clearing and grading), road and drainage plans prepared by an engineer registered in the state of South Carolina shall be submitted to the Public Works Director for review and approval in accordance with the Charleston County Road Construction Standards in Appendix A of this Ordinance.

§8.4.10 INSPECTIONS

- A. Subdivision plats that are submitted for review are field inspected by Planning and Public Works staff to ensure compliance with any applicable Ordinance requirements and County standards.
- B. Prior to submitting a Preliminary Plat where no public sewer is provided to any proposed lot, the applicant shall contact a representative of South Carolina Department of Health and Environmental Control (DHEC) and arrange for a test of the soil on any proposed lot. DHEC staff will inspect the proposed lot(s) in order to identify areas that meet minimum septic system requirements required by the State of South Carolina. The results of this test shall be submitted by the applicant at the time of the Preliminary Plat application.
- C. Where subdivision streets and/or drainageways are being constructed, the Public Works Director or the authorized representative will make periodic visits to the site as indicated in Charleston County Road Construction Standards, Appendix A, to ensure construction compliance with County-approved road and drainage plans. The Public Works Director's or the authorized representative's certification that all roads and drainage systems have been constructed in compliance with the plans is required prior to final approval of the development. This approval is only necessary for public Subdivisions.

§8.4.11 CONDITIONAL PLAT APPROVAL

Prior to approval of a Final Plat, the developer shall install all required public improvements or post an approved financial guarantee of performance, in accordance with the requirements of this Ordinance. If financial guarantees are posted, the Planning Director shall be authorized to grant conditional plat approval on plats that involve public improvements, with final approval contingent upon completion and acceptance of all required improvements. No Certificates of Occupancy shall be issued until all required improvements have been installed and accepted, and the Final Plat has been recorded by the Charleston County Register of Mesne Conveyance. Conditional Plat approval shall be valid for a period not to exceed two (2) years from the date Conditional Plat Approval is granted.

ART. 8.6 FINAL PLATS

§8.5.1 APPLICABILITY

Final Plats shall be required for all Subdivisions.

§8.5.2 APPLICATION

A. FINAL PLAT APPLICATIONS REQUIREMENTS:

- 1. Applications for Final Plat approval shall be submitted to Planning Director on forms available in the Planning Department. Ten copies of the Final Plat shall be filed with the application.
- 2. Written certification from the design engineer that the subdivision's road and drainage infrastructure and any other required improvements have been constructed in accordance with the approved plans.

- 3. The Final Plat shall be drawn in ink on a material specified by the Register of Mesne Conveyance for recording, on sheets 22 inches by 34 inches in size, and at an engineer's scale of 1" = 100' or larger. Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.
- B. THE FINAL PLAT SHALL SHOW THE FOLLOWING:**
- 1. All proposed divisions of land shall be shown, including: each lot showing lot lines, with bearings and distances; all right-of-ways, all drainage easements; names of all streets; the locations of all utility rights-of-ways and utility easements; all structures; and all sites reserved or dedicated for public uses.
 - 2. The title, scale (including graphic scale), north arrow (magnetic, grid, or true), date, name of applicant and the name of engineer or surveyor with South Carolina Registration Number shall be shown.
 - 3. Block and lot numbers suitably arranged by simple system.
 - 4. The names of adjacent land owners and streets where known or available shall be given (with the tax parcel numbers), and all intersecting boundaries or property lines shall be shown.
 - 5. Certificates:
 - a. The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South Carolina.
 - b. A statement of dedication by the property owner of streets, right-of-ways, easements, and any other sites for public or private use and warranty of title of property offered for dedication. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement of dedication shall be corrected accordingly.
 - 6. All easements shall include their location, width and centerline.
 - 7. The approved Office of Coastal Resource Management (OCRM) Critical Line with signed approval statement on the final plat.
 - 8. At the Planning Director's discretion, the applicant/surveyor may be required to show buffers and setbacks on lots less than one acre in size or on newly created lots that may appear to have encroachment of structures into a buffer or setback.
 - 9. Freshwater Wetlands/Waterways on lots of five acres or less in size.
 - 10. High land acreage and low land acreage (freshwater wetlands or acreage below the Office of Coastal Resource Management Critical Line).

- 11. Tree Surveys on lots of one acre or less are to include Grand trees on the entire lot. Tree surveys of Grand trees may be requested upon site inspection if lots greater than one acre appear to be unbuildable due to the presence of Grand trees.
 - 12. Tree Surveys of all Grand trees are required within access easements, drainage easements, and right-of-ways.
 - 13. Ownership and maintenance status of the lot access shall be indicated for any newly-created lots.
 - 14. A vacant block shall be provided on each page of the plat that is 3 inches by 8 inches in dimension for Charleston County approval stamps and notations.
- C. ACCOMPANYING DATA**
- 1. A certificate of title or a sworn affidavit establishing the ownership of the land to be recorded. If any change in ownership occurs subsequent to the date of the certificate of title or affidavit and prior to the granting of final approval, a new certificate of title or sworn affidavit establishing the ownership of the land shall be submitted to the Planning Director.
 - 2. In subdivisions where existing public water and public sewer systems have been extended and/or a new system installed, a certification of inspection and associated operating permits from the South Carolina Department of Health and Environmental Control (DHEC) shall be submitted.
 - 3. In an existing residential subdivision, the applicant shall contact the homeowners' or property owners' association in writing requesting that the homeowners' or property owners' association respond within 15 days with a letter stating that the proposed subdivision does not violate their restrictive covenants. If the homeowners' or property owners' association does not respond or if there is no homeowners' or property owners' association in existence, the applicant shall provide a letter stating that the proposed subdivision does not violate any restrictive covenants. This information will be submitted to the County for information purposes only and will not be the basis for whether an application is approved or disapproved.
- D. CERTIFICATION OF APPROVAL**
- When the Planning Director has approved the plat, a certificate noting such approval and carrying the signature of the Planning Director shall be placed on the original drawing of said plat.

§8.5.3 PLANNING DIRECTOR'S REVIEW AND DECISION
 Within 45 days of receipt of a complete Final Plat application, the Planning Director shall review the proposed Final Plat and the reports from the Public Works Director and other affected agencies and act to approve, approve with conditions or deny the Final Plat, based on whether it complies with the approved Preliminary Plat, all applicable requirements of this Ordinance, and the purposes and intent of Article 1.5.

- §8.5.4 ACCEPTANCE OF DEDICATIONS**
 Approval of a Final Plat shall not constitute acceptance of any public improvements. Such acceptance will require County Council acceptance of dedication.
- §8.5.5 RECORDING**
 Approved Final Plats shall be recorded by the Planning Director with the Register of Mesne Conveyance within 30 days of final approval. Notice to the applicant shall be sent within a reasonable time following the date of the recording with the Register of Mesne Conveyance.
- §8.5.6 APPEALS OF PLANNING DIRECTOR'S FINAL PLAT DECISION**
 Any person with a substantial interest in a Final Plat decision of the Planning Director may appeal the decision to the Planning Commission by filing an appeal with the Planning Director within 30 calendar days after the actual notice of the decision.
- A. APPEAL POWERS**
 In exercising the appeal power, the Planning Commission may reverse or affirm, wholly or partly, or may modify the decision being appealed. In acting upon the appeal, the Planning Commission shall be authorized only to determine whether the decision of the Planning Director was made in error. The Planning Commission shall not be authorized to approve modifications or waivers of Ordinance standards through the appeal process. If the Planning Commission determines that it is necessary to obtain additional evidence in order to resolve the matter, it may remand the matter to the Planning Director, with directions to obtain such evidence and to reconsider the decision in light of such evidence.
- B. CONSIDERATION OF EVIDENCE**
 The Planning Commission's decision shall be on the record; it shall consider only the same application, plans, and related project materials that were the subject of the original decision and only the issues raised by the appeal.
- C. BURDEN OF PERSUASION OR ERROR**
 In acting on the appeal, the Planning Commission shall grant to the Planning Director's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.
- D. APPROVAL CRITERIA**
 An appeal shall be sustained only if the Planning Commission finds that the Planning Director erred.
- E. VOTE REQUIRED**
 A quorum of the Planning Commission shall be achieved when the number of members in attendance equals more than 1/2 of the total membership of the Planning Commission. At least 2/3 of the members present and voting shall be required to reverse a final plat decision of the Planning Director.

COMMENTARY

Appeals of Planning Director and other Subdivision-related administrative decisions (including decisions to reject applications as incomplete), shall be processed in accordance with Article 3.14 described in Chapter 3.

§8.5.7 APPEALS OF PLANNING COMMISSION'S DECISION

- A.** Any person with a substantial interest in a Final Plat (appeal) decision of the Planning Commission may appeal the Planning Commission decision to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly

- and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after actual notice of the Planning Commission's decision.
- B.** At any time prior to appeal of a Planning Commission decision on a Final Plat (appeal) decision, the applicant may request that the Planning Commission enter mediation. When mediation is requested, the Planning Commission shall assign one of its members as a representative in mediation proceedings. A vote of the Planning Commission in a public meeting shall be required to accept any mediated settlement. An accepted mediated settlement cannot waive the standards of this Ordinance. Prior to beginning talks, applicable time limits for review and action on complete applications must be extended by mutual agreement of the applicant and Planning Commission.

ART. 8.6 MARKERS

§8.6.1 PLACEMENT
 A marker shall be set on the right-of-way line at the ends of the block for every block length of street. When blocks occur that have a curve or curves in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on right-of-way lines (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked. The location and type of markers used shall be indicated on the Final Plat.

§8.6.2 TIMING
 Markers shall be installed prior to the submission of and approval of the Final Plat.

ART. 8.7 LOTS

§8.7.1 LAYOUT AND DESIGN GENERALLY
 Lots shall be laid out and designed to provide buildable area on each lot, while complying with all other standards and requirements of this Ordinance.

- §8.7.2 SIZE**
- A. Lots shall comply with the lot area standards of the underlying zoning district and all other applicable standards of this Ordinance.
 - B. Depth of residential lots shall not exceed 5 times the width of the lot (a 1:5 ratio).
 - C. The Planning Director may allow the lot width to depth ratio of 1:5 to be exceeded when any of the following conditions occur:
 - 1. When attached dwellings are proposed;
 - 2. Where additional depth is provided for marsh frontage lots when the lot width depth ratio is met and the property line is extended into the marsh or the property is bisected by or fronts on freshwater wetlands; or
 - 3. A minor subdivision of a parent tract, provided the following requirements are met:

- a. The minimum lot frontage for each lot is not less than 250 feet.
 - b. In no case shall the average lot width be less than 250 feet with the minimum lot width at any one point less than 200 feet, and
 - c. The property to be subdivided is located in an AG-25, AG-15, AG-10 or AG-8 Zoning District.
- D. Prescribed lot width requirements shall be for at least two-thirds (2/3) of the depth of the lot.

§8.7.3 ACCESS

- 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 10 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. The minimum frontage of any flag lot or cul-de-sac lot access shall be twenty (20) feet.

COMMENTARY
Lots with access on a street and alley shall not be considered double-frontage lots.

§8.7.4 FLAG LOTS

The Planning Director shall be authorized to allow the use of flag lots only when the Planning Director determines that such lot configurations are necessary to address development constraints that are present on the site (e.g., lot width or wetland issues).

A. PERMITTED USE OF FLAG LOTS

Flag lots may be authorized when the Planning Director determines that they will:

- 1. facilitate subdivision of a long narrow parcel that has sufficient area but insufficient width to be otherwise subdivided.
- 2. eliminate multiple access points to collector or arterial roads.
- 3. allow reasonable development when the buildable area of a parcel is restricted due to the presence of a natural resource or the irregular shape of a parcel.

B. PROHIBITED USE OF FLAG LOTS

- 1. Flag lots shall not be used to avoid the development of streets otherwise required by this Ordinance when the effect of such flag lots would be to increase the number of access points (driveways) on a publicly dedicated road right-of-way.
- 2. Flag lots may be denied when an adjoining parcel also has sufficient area but insufficient width to otherwise be subdivided. In such cases, platting can be

Roadside Feature	Speed (MPH)	Offset from Edge of Pavement (feet)	
		Canopy Trees	Understory Trees/Shrubs
Guiderail	All	5'	3'
	40 and less	5'	3'
Barrier Curb	45 to 50	8'	5'
	55 and greater	12'	5'
Open Shoulder	40 and less	10	5
	45 to 50	15	7
	55 and greater	20	10

*Tree limbs hanging below 15 feet in height shall be trimmed so that they do not encroach beyond the back of the curb. Minimum overhead clearance of 14 feet should be maintained for safe passage. When a barrier curb or guide rail exists, offset is measured from the face of the curb or guide rail to the face of the tree at ground level.

- B. Understory trees may be located 2 feet from the edge of pavement with the approval of the Planning Director and Public Works Director.

ART. 8.10 PEDESTRIAN WAYS

§8.10.1 WHERE REQUIRED

Pedestrian ways shall be provided in all major subdivisions within the Urban and Suburban Areas of the County. If development characteristics warrant, the Planning Director may waive this requirement for any portion of the proposed subdivision. Requests for such waivers shall be submitted along with written justification to the Planning Director for approval.

§8.10.2 PLACEMENT

Paved pedestrian ways within publicly dedicated right-of-ways shall conform to the construction details for paved sidewalks contained in *Charleston County Road Construction Standards*, Appendix A. Unpaved, alternative surface walkways that are not within a right-of-way or drainage easement, and bike trails or walking trails that are designed to connect neighborhoods and provide access to common areas, may be provided when approved by the Planning Director.

ART. 8.11 STREET NAMES AND STREET SIGNS

§8.11.1 NAMES

No street names shall be used that will duplicate or be confused with the names of existing streets. Street names proposed by the applicant shall be approved by the Planning Director.

§8.11.2 STREET NAME SIGNS

Street name signs shall be installed by the development in accordance with the *Charleston County Road Construction Standards* in Appendix A of this Ordinance.

ART. 8.12 UNDERGROUND UTILITIES AND SERVICES

All electrical, telephone, cable television and similar distribution lines providing service to a development site should be installed underground.

accomplished by land owners of adjoining parcels joining together to provide a full width right-of-way and road section.

C. STANDARDS FOR FLAG LOTS

- 1. Flag lots shall take direct access to streets that comply with this Ordinance.
- 2. The area within the flagpole portion of a flag lot shall not be counted as lot area for the purpose of meeting the minimum lot area requirements of this Ordinance.
- 3. The flagpole portion of a flag lot shall have a minimum width of 20 feet for its entire depth, and the depth or length of the flagpole shall not exceed 450 feet.
- 4. As a condition of approval for a flag lot, an encroachment permit must be obtained from the appropriate agency governing access, and an Access Easement Agreement for shared access between the owner of the flag lot and the lot from which the flag lot was created is recorded in the Office of the Charleston County Register of Mesne Conveyance.
- 5. Dwelling groups on flag lots shall meet the requirements of this Ordinance.

ART. 8.8 TREE PRESERVATION

§8.8.1 TREES SURVEYS

Tree surveys shall comply with the following:

- A. Lots within subdivisions shall be laid out and designed to provide a buildable area on each lot that does not require the removal of Grand trees.
- B. Tree protection standards are described in Chapter 9 of this Ordinance.
- C. Tree Surveys on lots of one acre or less are to include Grand trees on the entire lot. Tree surveys of Grand trees may be requested upon site inspection if lots greater than one acre appear to be unbuildable due to the presence of Grand trees.
- D. Tree Surveys of all Grand trees are required within access easements, drainage easements, and right-of-ways.

ART. 8.9 TREES, SHRUBS, AND PAVEMENT

§8.9.1 MINIMUM OFFSET OF TREES AND SHRUBS FROM ROAD PAVEMENT

- A. Trees and shrubs shall be set back from street and road pavement in accordance with the following minimum requirements:

ART. 8.13 WATER SUPPLY AND SEWAGE DISPOSAL

In accordance with South Carolina Department of Health and Environmental Control (DHEC) Regulations, all subdivisions shall be served by approved public water and sewer systems, if accessible for connection, or if in the opinion of DHEC, the public's health and the environment would best be protected by the installation of such systems. Where public sewer is not available, all new lots must meet minimum soil requirements established by DHEC. This provision shall not be interpreted to require that subdivisions be annexed in order to obtain public water or sewer service.

ART. 8.14 FINANCIAL GUARANTEES (SURETY)

§8.14.1 PERFORMANCE GUARANTEES

- A. In lieu of completing the required subdivision improvements of this chapter, a financial guarantee in the form of a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check may be accepted by the decision-making body, subject to county attorney approval of the guarantee to determine that the interests of Charleston County are fully protected. Where a cashier's check is utilized, opinion of counsel may be waived.
- B. The applicant shall submit to the appropriate governmental agency a detailed itemized unit cost estimate for the proposed improvements to be included in the financial guarantee. The amount of the financial guarantee shall be verified by the appropriate governmental agency that exercises operational control (Commissioners of Public Works for public water, Commissioners of the appropriate Public Service Districts for street name signs and public sewer, and the Public Works Director for all other improvements covered in this chapter). The amount shall be sufficient to guarantee completion of the required improvement (125 percent of the actual cost of the improvement with a minimum of \$2,000) within a time period specified by the government agency, not to exceed 2 years. The governmental agency determining the amount of financial guarantee shall provide a letter to the Planning Director (copy to the applicant) setting forth the amount of bond, conditions of acceptance and the period covered. The Planning Director will inform all interested governmental agencies, particularly the County Building Inspection Director.
- C. Upon completion of the improvements as required by this chapter, written notice thereof shall be given by the applicant to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will, within 30 days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond was insufficient to finance the required improvements after the applicant has defaulted, County Council will assess the individual applicant the cost of the improvements over and above the surety amount.

- D. In no instance will the bond issuer or bond holder be authorized to extend for the applicant the completion date originally stipulated.
- E. Pro-rated refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit.
- F. In lieu of completed subdivision improvements, the decision-making body may accept the written guarantee of a governmental agency to complete required improvements within 90 days of the date of such acceptance by County Council. Failure to complete required improvements within the 90 day period shall void any subdivision approvals received by the applicant.
- G. The acceptance of performance bonds or a cashier's check in lieu of completed performance is made possible only by the introduction of effective occupancy control. This control will be coordinated with final approvals so as to ensure that all conditions covered by one or more bonds are completely fulfilled, except as specified in the Charleston County Building Code, before an occupancy permit can be issued by the County Building Inspection Director.

§8.14.2 MAINTENANCE GUARANTEES

Street and Stormwater management/drainage systems that are to be dedicated to Charleston County for public maintenance shall be under warranty for all defects and failures for a period of 2 years. Prior to Final Plat approval, the developer shall provide written verification of financial responsibility for the correction of any defects and/or failures in those related improvements that will be dedicated to the county. The warranty (minimum 10 percent of the construction costs) shall be in an amount satisfactory to the Public Works Director and effective for a period of 2 years from the date of acceptance by the County Council. The financial warranty shall be in the form of a no-contest, irrevocable bank letter of credit, a performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check. Payment is subject to County Attorney approval of the guarantee to determine that the interests of Charleston County are fully protected, except when a cashier's check is utilized, opinion of counsel may be waived. The Public Works Director shall maintain surveillance over the system and provide written notification to the developer if repair work is required during the warranty period. The Public Works Director shall identify defects not considered to be a public safety issue and notify the developer of such defects. The developer shall then have 30 days to prepare a schedule of corrective actions and begin such corrective actions. If not completed within the approved schedule, the Public Works Director shall make the repairs and bill the bonding company. Public safety defects shall be addressed immediately by the Public Works Director, with reimbursement from the bonding company.

CHAPTER 9 | DEVELOPMENT STANDARDS

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CHAPTER 9 | DEVELOPMENT STANDARDS

ART. 9.1 PURPOSE AND INTENT

The purpose of the regulations contained in this chapter is to protect the public health, safety, and general welfare; to promote harmonious and orderly development; and to foster civic beauty by improving the appearance, character and economic value of civic, commercial and industrial development within the unincorporated areas. The Development Standards are authorized for the following purposes, among others:

- A. Implement the goals, objectives, and policies of the County of Charleston *Comprehensive Plan*;
- B. Facilitate safe transportation, access, vehicular circulation, and parking;
- C. Assure the protection and preservation of natural resources, such as trees and wetlands;
- D. Implement the use of vegetated buffers in order to mitigate the effects of incompatible adjacent uses, to provide transition between neighboring properties and streets, to moderate climatic effects, and to minimize noise and glare;
- E. Implement basic architectural standards, right-of-way buffer standards, and sign standards that will promote attractive, well-designed development, foster balanced streetscapes, and reduce visual clutter along major roadways, thus enhancing safe traffic flow; and
- F. Insure protection from fire, flood and other dangers, and furthering the public welfare in any regard specified by a local governing body.

ART. 9.2 APPLICABILITY

Unless expressly stated, the articles in this chapter apply to development occurring on property zoned or used as Civic/Institutional, Commercial, or Industrial. Residential or Agricultural zoning districts or uses shall be exempt, unless otherwise stated.

ART. 9.3 OFF-STREET PARKING AND LOADING

§9.3.1 GENERAL

A. APPLICABILITY

- 1. **New Development**
The off-street parking and loading standards of this article apply to any new building constructed and to any new use established.
- 2. **Expansions and Alterations**
The off-street parking and loading standards of this article apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces will be required only to serve the enlarged or expanded area, not the entire building or use, provided that in all cases the number of off-street parking and loading spaces provided for the entire use

(preexisting + expansion) must equal at least 75 percent of minimum ratio established in Off-Street Parking Schedule "A" of this article.

B. TIMING OF INSTALLATION

Required parking spaces and drives shall be ready for use and approved by the Planning Director prior to issuance of a Certificate of Occupancy.

C. NO REDUCTION BELOW MINIMUMS

Existing parking and loading spaces may not be reduced below the minimum requirements established in this article. Any 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 the provisions of this article.

§9.3.2 OFF-STREET PARKING SCHEDULE A

Unless otherwise expressly allowed, off-street parking spaces shall be provided in accordance with the following table.

USE TYPE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
RESIDENTIAL	
Congregate Living	1 per 3 beds
Duplex	2 per dwelling unit
Dwelling Group	2 per dwelling unit
Farm Labor Housing (Dormitory)	0.5 per bed
Community Residential Care Facility	1 per 3 beds, plus 1 per employee in single shift
Child Caring Institution	1 per 3 beds, plus 1 per employee in single shift
Group Care Home, Residential (up to 20 children)	1 per 3 beds, plus 1 per employee in single shift
Group Residential	1 per 3 beds, plus 1 per employee in single shift
Manufactured Housing Unit	2 per dwelling unit
Manufactured Housing	2 per dwelling unit
Multi-Family	1.5 per 1-bedroom unit; 2 per 2-bedroom unit; 2.5 per 3-bedroom and larger units
Retirement Housing	0.75 per 1-bedroom unit; 1 per 2-bedroom unit; 1.5 per 3-bedroom and larger units
Retirement Housing, Limited	0.5 per 1 bedroom unit; 1 per 2-bedroom or larger unit
Single-Family Attached	2 per dwelling unit
Single-Family Detached	2 per dwelling unit
Single-Family/Manufactured housing unit (Joint)	2 per dwelling unit
Transitional Housing	1 per 3 beds
Civic/Institutional	
Cemetery	None
Court of Law	1 per employee plus 1 per every 3 seats of seating available to the public in the courtroom
Social Club or Lodge	1 per 150 square feet or 1 per 5 seats, whichever is greater

USE TYPE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Business, Professional, Labor, or Political Organizations	1 per 150 square feet or 1 per 5 seats, whichever is greater
Social or Civic Organizations	1 per three active members plus one per employee
College or University Facility	1 per 100 square feet classroom plus 1 per 300 square feet office/administrative plus 1 per 3 beds
Community Recreation	None
Convalescent Services	1 per 5 beds
Historical Sites, Libraries, Archives or Museums	1 per 300 square feet
Adult Day Care Facilities	2 per employee plus 1 per 5 children/adults
Child Day Care Facilities	2 per employee plus 1 per 5 children/adults
Correctional Institutions	1 per 2 employees
Counseling Service	1 per 150 square feet
Hospital	1 per 2 beds plus 1 per 300 square feet of floor area of administrative and medical offices
Nature Exhibition or Botanical Gardens	1 per employee in single shift plus 2 spaces per acre
Parks & Recreation	1 square foot of parking for each square foot of public activity area
Postal Service, United States	2 per employee
Railroad Facility	1 per 2 employees
Recycling Collection, Drop-Off	1 per recycle collection container
Religious Assembly	1 per 5 seats
Intermediate Care Facility for the Mentally Retarded	1 per bed plus 1 per employee in single shift
Public or Community Health Care Center	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Healthcare Laboratory	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Home Health Agency	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Outpatient Facilities for the Chemically Dependent or Addicted Persons	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Rehabilitation Facilities	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Residential Treatment Facility for Children or Adolescents	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Safety Services	1 per 2 employees
Pre-School or Educational Nursery	1 per 10 seats plus 1 per employee
School, Primary	2 per employee
School, Secondary	2 per employee plus 1 per 6 students
Personal Improvement Education	1 per every 3 students plus 1 per employee
Utility Service, Major	1 per 2 employees
Utility Service, Minor	None
Zoo	10 plus 1 per employee in single shift
Commercial	
Agricultural Sales/Service	1 per 500 square feet of floor area plus 4 per acre outdoor sales/display/storage area

USE TYPE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Pet Stores, Grooming Salons, or Small Animal Boarding	1 per 300 square feet of floor area
Bar or Lounge	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area
Bed and Breakfast	1 per guest room
Rooming or Boarding House	1 per guest room
Business or Trade School	1 per 100 square feet classroom plus 1 per 300 square feet business/administrative office
Communication Services	1 per 300 square feet of floor area
Data Processing Service	1 per 300 square feet of floor area
Publishing Industry	1 per 300 square feet of floor area
Heavy Construction Service, General Contractor, or Special Trade Contractors	1 per 400 square feet indoor floor area plus 4 spaces per acre outdoor storage/display/sales area
Consumer Convenience Service	1 per 200 square feet of floor area
Consumer Rental or Charter Service	1 per 200 square feet of floor area
Charter Boat or other Recreational Watercraft Rental Services	1 per rental boat or watercraft plus 1 per employee
Commercial or Industrial Machinery or Equipment Rental or Leasing	1 per 250 square feet of floor area not including storage areas
Construction Tools or Equipment Rental	1 per 250 square feet of floor area not including storage areas
Heavy Duty Truck or Commercial Vehicle Rental or Leasing	1 per rental vehicle plus 1 per employee in single shift
Banks	1 per 300 square feet of floor area, also see drive-thru requirements
Financial Services	1 per 300 square feet of floor area
Food Sales	1 per 175 square feet
Funeral Services	1 per 4 seats or 1 per employee, whichever is greater
Hair, Nail or Skin Care Service	2 per employee
Hotel/Motel	1 per room plus spaces as required for associated restaurants, bars, and offices
Kennel	1 plus 1 per employee
Liquor Sales, Beer or Wine Sales	1 per 200 square feet of floor area
Marina	3 per slip plus 50 per launching area
Boat Yard	1 per employee
Office, Medical	1 per 150 square feet of floor area
Outpatient Clinic	1 per 200 square feet of floor area with a minimum of 4 spaces
Office, Business/Professional/Administrative	1 per 300 square feet of floor area
Office, Resort Real Estate	1 per 100 square feet of floor area
Office, Parole or Probation	1 per employee plus 1 per 200 square feet of floor area
Office/Warehouse Complex	1 per employee in shift plus 1 per 2000 square feet of office space
Convention Center or Visitors Bureau	4 per 1000 square feet of floor area
Parking, Lot or Garage	1 per employee
Pawn Shop	1 per 200 square feet of floor area

USE TYPE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Personal Improvement Service	1 per 200 square feet of floor area
Recreational Vehicle Park or Campground	1 per employee plus 1 per recreational vehicle and camp site
Recreation and Entertainment, Indoor	1 per 3 seats or 1 per 200 square feet of floor area, whichever is greater
Recreation and Entertainment, Outdoor	1 per 200 square feet of public activity area
Fishing or Hunting Guide Service (Commercial)	3 per employee
Fishing or Hunting Lodge (Commercial)	1 per visitor plus 1 per 5 members
Recreation or Vacation Camp	1 per employee plus 1 per camp vehicle
Golf Courses or Country Clubs	1 per employee plus 4 per golf green
Repair Service, Consumer	1 per 2 employees plus 1 per 400 square feet of floor area
Catering Service	1 per employee plus 1 per 400 square feet of floor area
Restaurant, Fast Food	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area/vehicle stacking spaces per Article 9.3.8
Restaurant, Fast Food (no inside seating)	1 per employee plus 1 per 200 square feet outdoor seating area/vehicle stacking spaces per Article 9.3.8
Restaurant, General	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area
Retail Sales+Service, General	1 per 300 square feet indoor floor area+ 5 spaces per acre outdoor storage/display/sales area
Nonstore Retailers	1 per employee plus 2 spaces for deliveries
Building Materials or Garden Equipment and Supplies Retailers	1 per 200 square feet of floor area not including storage plus 1 per employee
Services to Buildings and Dwellings	1 per employee plus 1 space for deliveries
Scrap and Salvage Service	1 per employee plus 2 per acre
Self-Service Storage/Mini Warehouse	2 per employee
Gasoline Service Station	1.5 per employee
Truck Stop	1 per employee plus truck space parking plus any parking required in this table when restaurant or motel is included
Stable (Boarding or Commercial for Hire)	1 per 2 stalls
Vehicle Repair, Consumer	1.5 per employee or service bay
Vehicle Sales or Vehicle Rental or Leasing	1 per 2,500 square feet of display and 1 per employee
Vehicle Parts, Accessories or Tire Stores	1 per 400 square feet of floor area (10 space minimum) plus 1 per employee
Vehicle Service, Limited	2 per employee
Vehicle Storage	1 per 2 employees
Veterinary Services	1 per 300 square feet of floor area
Industrial	
Repair Service, Commercial	1 per 400 square feet office area plus 1 per 2 employees
Dry Cleaning Plant, Carpet Cleaning Plant or Commercial Laundry	1 per employee plus 1 per 3 washing/drying machines if provided for customer use
Photo finishing Laboratory	1 per employee plus 1 per 200 square feet of floor area

USE TYPE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Manufacturing and Production	1 per 400 square feet office area plus 1 per 2 employees
Warehouse and Distribution Facilities	1 per 300 square feet office area plus 1 per 600 square feet for 1 st 12,000 square feet warehouse/storage area plus 1 per 800 square feet for remaining warehouse/storage area (over 12,000 square feet)
Wholesale Sales	1 per 600 square feet for 1 st 12,000 square feet + 1 per 900 square feet for remaining area (over 12,000 square feet)
Agricultural and Other Uses	
Animal Production	None
Aviation	1 per 400 square feet public area plus 1 per 2 employees
Sightseeing Transportation, Land or Water	1 per 2 seats of sightseeing vehicle plus 1 per employee
Taxi or Limousine Service	1 per employee plus one per vehicle that provides service
Urban Transit Service	1 per 100 square feet of public waiting area plus 1 per two employees and 1 per transit vehicle
Water Transportation	1 per two seats of transportation vehicle plus 1 per employee
Communications Towers	None
Crop Production	None
Agricultural Processing	1 per employee
Roadside Stands	3 per stand
Horticultural Production	1 per 2 employees
Greenhouse Production or Hydroponics	1 per 2 employees
Commercial Timber Operations	None
Lumber Mills, Planing or Saw Mills	1 per employee plus 1 per commercial vehicle plus 1 per 400 square feet of floor area
Recycling Center	1 per 2 employees
Resource Extraction	1 per 2 employees
Waste-Related Use	1 per 2 employees

§9.3.3 RULES FOR COMPUTING PARKING AND LOADING REQUIREMENTS

The following rules apply when computing off-street parking and loading requirements:

A. MULTIPLE USES

Lots containing more than 1 use must provide parking and loading in an amount equal to the total of the requirements for all uses.

B. FRACTIONS

When measurements of the number of required spaces result in a fractional number, any fraction of 1/2 or less will be rounded down to the next lower whole number and any fraction of more than 1/2 will be rounded up to the next higher whole number.

C. AREA MEASUREMENTS

Unless otherwise expressly stated, all square-footage-based parking and loading standards must be computed on the basis of gross floor area.

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.

E. UNLISTED USES

Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Planning Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or require parking spaces in accordance with a parking study prepared by the applicant.

§9.3.4 LOCATION OF REQUIRED PARKING

A. ON-SITE PARKING

- Except as expressly stated in this section, 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 lots in Office (O) and Commercial (C) districts containing more than 10 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 3 sides.

B. OFF-SITE PARKING

Off-street parking spaces may be located on a separate lot from the lot on which the principal use is located, if approved in accordance with the Special Exception procedures contained in Chapter 3 of this Ordinance and if the off-site parking complies with the all of following standards:

- Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located off-site.
- No off-site parking spaces may be located more than 600 feet from the primary entrance of the use served, unless shuttle bus service is provided to the remote parking area. Off-site parking spaces may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or shuttle bus service is provided to the remote parking area.
- Parking spaces located off-site in accordance with this section shall be considered accessory to the primary use, regardless of the fact that such accessory use is not located on the same parcel as the principal use.

4. Off-site parking areas serving uses located in nonresidential zoning districts must be located in nonresidential zoning districts. Off-site parking areas serving uses located in residential or agricultural zoning districts may be located in residential, agricultural or nonresidential zoning districts.

5. In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement will be required. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recording on forms made available in the Planning Department. Recording of the agreement with the Register of Mesne Conveyance 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.

C. SHARED PARKING

Subdivisions or uses with different operating hours or peak business periods may share off-street parking spaces if approved in accordance with the Special Exception procedures contained in Chapter 3 of this Ordinance and if the shared parking complies with the all of following standards:

- Shared parking spaces must be located within 600 feet of the primary entrance of the use served, unless shuttle bus service is provided to the shared parking area. Shared parking may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or shuttle bus service is provided to the parking area.
- Shared parking areas serving uses located in nonresidential zoning districts must be located in nonresidential zoning districts. Shared parking areas serving uses located in residential or agricultural zoning districts may be located in residential, agricultural or nonresidential zoning districts.
- Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Planning Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the 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.
- A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recording on forms made available in the Planning Department. Recording of the agreement with the Register of Mesne Conveyance must take place before issuance of a building permit or certificate of occupancy for any use to be served by the

off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this article.

§9.3.5 ACCESSIBLE PARKING FOR PHYSICALLY DISABLED PERSONS

The parking standards of this article are intended to ensure compliance with the Americans with Disabilities Act (ADA). 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 determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling off-street parking standards.

Total Parking Spaces Provided	Minimum Number of Accessible Spaces	Minimum Number of Van-Accessible Spaces	Minimum Number of 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		

B. MINIMUM DIMENSIONS

All parking spaces reserved for persons with disabilities shall comply with the parking space dimension standards of this section, provided that access aisles shall be provided immediately abutting such spaces, as follows:

- Car-accessible spaces shall have at least a 5-foot wide access aisle located abutting the designated parking space.
- Van-accessible spaces shall have at least an 8-foot wide access aisle located abutting the designated parking space.

§9.3.6 PARKING SPACE AND PARKING LOT DESIGN

A. PARKING LOT DESIGN

Dead end type of parking layouts that cause or contribute to poor vehicular circulation will not be allowed unless all other site configurations and parking options of the required number of parking spaces have been exhausted.

B. AISLE WIDTHS AND PARKING SPACE DIMENSIONS

Drive aisle widths adjoining off-street parking spaces shall comply with the following standards:

X°	Stall Width A	Stall Depth B	Aisle Width C	Skew Width D
60°	8' 0" 8' 6" 9' 0"	19' 7" 18' 0" 17' 0"	19' 0" 18' 0" 17' 0" *One Way	9' 3" 9' 10" 10' 5"
45°	8' 0" 8' 6" 9' 0"	18' 5" 18' 8" 19' 1"	12' 0" 11' 0" 11' 0" *One Way	11' 4" 12' 0" 12' 9"
30°	8' 0" 8' 6" 9' 0"	15' 11" 16' 5" 16' 10"	11' 0" 10' 0" 9' 0" *One Way	16' 0" 17' 0" 18' 0"
0°	8' 0" 8' 6" 9' 0"	22' 0" 22' 0" 23' 0"	11' 0" 11' 6" 12' 0" *One Way	N/A (PARALLEL)
90°	8' 0" 8' 6" 9' 0"	18' 0" 18' 0" 18' 0"	28' to 32' 25' to 29' 23' to 27' *Two Way	N/A

Note: Two Way drive aisles shall always require a minimum width of 23 feet.

Points of Reference:

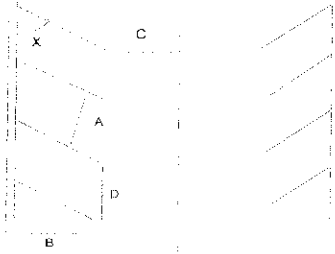


Figure 2

C. PARKING LOT LANDSCAPING

See Article 9.5 of this Chapter.

D. MARKINGS

- In paved parking areas, each off-street parking space shall be identified by surface markings at least 4 inches in width. Markings shall be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles. In unpaved parking lots, all parking spaces must have a curb stop (minimum height of 4 inches) to delineate the location of the space and to prevent the encroachment of parking onto adjoining properties, right-of-ways, or landscaped areas.
- One-way and Two-way accesses into required parking facilities shall be identified by directional arrows.
- Unpaved parking lots must have an all weather surface such as gravel, slag or other pervious surface, not including asphalt shingles. Entrance and exit drives serving unpaved parking lots accessed from a paved street must be paved from the edge of the street pavement to a distance of 20 feet into the property. No more than 120 percent of the required number of off-street parking spaces may be paved and no more than 70 percent of all developable land within parcels may be paved, unless approved by the Planning Director.

E. ACCESS

- Required parking spaces shall not have direct access to a street or highway. Access to required parking spaces shall be provided by on-site driveways. Off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way.
- Parking lot entrance and exit drive curb cuts will not be more than 30 feet in width. Entrances or exits which include a median strip to separate traffic flow in opposite directions may be expanded to 60 feet. Curb cuts shall be allowed in accordance with the following table:

LENGTH OF FRONTAGE	MAXIMUM NUMBER OF DRIVEWAYS
250 feet or less	1
251 feet to 1,500 feet	2
1,500 feet or more	3

*On frontages of 250 feet or less, a pair of one-way driveways may be substituted only if the internal circulation on the site is compatible with the 1-way driveways and wrong-way movements on the driveways are rendered impossible or extremely difficult for motorists. Refer to the South Carolina Department of Transportation's Access and Roadside Management Standards Manual for recommended spacing of driveways based on speed of traffic.

- Entrance and exit drives shall be located at least 100 feet from the edge of the right-of-way of any street intersection. If the subject lot has less than 100 feet of frontage, the Planning Director shall be authorized to alter these requirements. Suitable provisions will be made to prevent ingress or egress at other than designated entrance or exit drives.

- The Planning Director shall be authorized to require that driveways providing access to dwelling units provide a minimum vertical clearance of up to 13.5 feet when deemed necessary to ensure emergency vehicle access.

§9.3.7 USE OF REQUIRED PARKING SPACES

Required off-street parking areas shall be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease, for motor vehicle repair or service work of any kind, or for long-term storage of vehicles, boats, motor homes, campers, manufactured housing units, or building materials.

§9.3.8 VEHICLE STACKING AREAS

A. MINIMUM NUMBER OF SPACES

Off-street stacking spaces shall be provided as follows:

Activity Type	Minimum Spaces	Measured From
Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller
Restaurant drive-through	6	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	2	Pump Island
Other	Determined by Planning Director	

B. PARKING AREA DESIGN AND LAYOUT

Required stacking spaces are subject to the following design and layout standards.

- Stacking spaces must be a minimum of 8 feet by 20 feet in size.
- Stacking spaces may not impede on or off-site traffic movements or movements into or out of off-street parking spaces.
- Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Director of Public Works for traffic movement and safety.

§9.3.9 OFF-STREET LOADING

A. SPACES REQUIRED

For every retail sales, service, wholesaling, warehousing, or manufacturing establishment and each bus or truck terminal, there shall be provided sufficient space to accommodate the maximum number of trucks that will be loading, unloading, or standing at any one time.

B. SIZE OF SPACE

Each off-street loading space shall be of a size commensurate with the buildings to

be accommodated. In no case shall required off-street loading space encroach upon off-street parking space required under this article.

C. LOCATION

All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve.

D. ENTRANCES AND EXITS

Off-street loading entrance and exit drives shall be located at least 25 feet from any street intersection.

E. LOADING SPACES ADJACENT TO SIDEWALKS

Where a loading space is adjacent to a public sidewalk or other public pedestrian way, it shall be so located, arranged, and improved with curbs or other barriers, as to provide adequate protection for pedestrians.

F. MANEUVERING AREAS

All off-street loading spaces shall be provided with adequate off-street maneuvering areas.

G. LANDSCAPING, BUFFERS AND SCREENING

See Article 9.5 of this Chapter.

ART. 9.4 TREE PROTECTION AND PRESERVATION

§9.4.1 GENERAL

A. FINDINGS

Trees are an essential natural resource, an invaluable economic resource, and a priceless aesthetic resource. Trees play a critical role in purifying air and water, providing wildlife habitat, and enhancing natural drainage of storm water and sediment control. They also help conserve energy by providing shade and shield against noise and glare. Trees promote commerce and tourism by buffering different land uses and beautifying the landscape.

B. PURPOSE

The Tree Protection and Preservation regulations of this article are intended to enhance the health, safety and welfare of Charleston County citizens.

C. APPLICABILITY AND EXEMPTIONS

1. Applicability

The provisions of this article in their entirety shall apply to all real property in Charleston County, except as otherwise expressly exempted.

2. Exemptions

- Major and minor single-family detached residential subdivisions for which preliminary subdivision application has been made will be

- exempt from the Tree Replacement provisions of Sections 9.4.6B, 9.4.6C, 9.4.6D, and 9.4.6F of this Chapter
- The Planning Director shall be authorized to modify or reduce the standards of this article for commercial nursery operations.
 - The Planning Director shall be authorized to modify or reduce the standards of this article for Department of Public Works projects.
 - This article shall not restrict public utilities, and electric suppliers from maintaining safe clearance around existing utility lines, and existing easements in accordance with applicable state laws. Siting and construction of future gas, telephone, communications, electrical line or other easements shall not be exempt from the provisions of this article. Utility easements for which a Conditional Use Permit or a Special Exception was granted prior to adoption of this article shall be fully exempt.
 - Commercial timber operations shall be exempt from the provisions of this article.
 - Removal of trees for the purpose of establishing bona fide agricultural uses, as specified in Section 3.8.2A of this Ordinance, shall be exempt from the provisions of this article.
 - Removal of trees for the purposes of maintaining safe clearance for aircraft as required by federal law or the establishment of facilities exclusively dedicated to aviation operations on property owned or leased and in use by the Charleston County Aviation Authority will be exempt from the provisions of this article.
- D. DEFINITION OF "TREE REMOVAL"**
For the purpose of this article, the term "tree removal" shall include, but not be limited to damage inflicted to the root system by machinery, girdling, storage of materials and soil compaction, changing the natural grade above or below the root system or around the trunk; damage inflicted on the tree permitting fungus infection or pest infestation; excessive pruning; excessive thinning; paving with concrete, asphalt or other impervious material within such proximity as to be harmful to the tree; or any act of malicious damage to a tree. Excessive pruning or thinning shall be pruning or thinning that exceeds more than 25% of the leaf surface on both the lateral branch and the overall foliage of a mature tree that is pruned within a growing season. Additionally, one-half of the foliage of a mature tree is to remain evenly distributed in the lower two thirds of the crown and individual limbs upon completion of any pruning.
- E. MEASUREMENTS**
- Diameter Breast Height**
Diameter Breast Height is used for measuring all trees greater than 12" caliper. The Diameter Breast Height (DBH) of a tree is the total diameter, in inches, of a tree trunk or trunks measured 4 1/2 feet above existing grade (at the base of the tree). In measuring DBH, the circumference of the tree shall

- be measured with a standard diameter tape, and the circumference shall be divided by 3.14. If a tree trunk splits at ground level and do not share a common base, then each trunk shall be measured as a separate tree. If a multi-trunk tree splits below the 4.5 foot mark, all trunks shall be measured separately and count as one tree.
- Caliper**
Caliper is the diameter of a tree trunk measured six (6) inches above the ground on trees with calipers of four inches or less. For trees between 4" and 12" caliper, the trunk is measured 12 inches above the ground.
- §9.4.2 ADMINISTRATION**
- A. ZONING PERMIT REQUIRED**
- Tree Removal**
Removal of required trees is prohibited prior to the issuance of a Zoning Permit by the Planning Director. Zoning Permits will be issued only after a tree plan is approved by the Planning Director, as outlined below.
 - Excess Canopy (Limb) Removal**
Removal of 3 or more limbs with an individual diameter of 6 inches or greater shall require a Zoning Permit.
- B. DOCUMENTATION**
Tree plans, prepared by a licensed registered surveyor, civil engineer or landscape architect, shall be required for all of the following:
- preliminary subdivision applications which include proposed roads or easements, or extensions of existing roads or easements;
 - Planned Development rezoning requests; and
 - applications for Zoning Permits to remove trees for site development (an approved, recorded plat and development site plan must accompany tree plans).
- §9.4.3 TREE PLANS AND SURVEYS**
- A. GENERAL**
Tree plans of the same scale as, and superimposed on a development site plan or preliminary plat shall include location, number, size (DBH or caliper), and species with a scaled graphic representation of each Grand Tree, canopy size and shape, and the trunk location. All required tree surveys shall include the name, address, signature, and seal of a licensed surveyor, landscape architect, or civil engineer registered in the State of South Carolina. 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 landscape architect, civil engineer, forester or surveyor utilizes previously approved recorded plats prepared by surveyors for the purpose of showing a tree plan, the name, address, signature and seal of the licensed landscape architect, civil engineer, forester or surveyor, registered in the

- State of South Carolina, who shall be responsible for the accuracy of information provided shall be included on the tree survey.
- B. MAJOR AND MINOR SUBDIVISION PRELIMINARY PLATS**
Refer to Section 8.4.2.A.4 Preliminary Plat Application in the Subdivision Regulations of Chapter 8 of this Ordinance.
- C. NON-RESIDENTIAL**
- In all non-residential parcels the location, number, size (diameter breast height and circumference) and species of all trees of 6 inches or greater diameter breast height. (Trees within 5 feet of other trees may be designated in groups, with the predominant species, estimated number, and average diameter and circumference indicated);
 - Location, number, size (DBH) and species of all trees to be preserved, and those scheduled to be removed (including dead and diseased trees) and replaced;
 - When there are no trees 6 inches or greater diameter breast height on nonresidential parcels, documentation of this fact shall be provided from a registered surveyor, engineer, landscape architect or qualified arborist
- COMMENTARY**
Assistance in tree identification and condition should be provided by a forester or qualified arborist.
- D. OTHER REQUIRED SURVEYS**
- A plan outlining the manner in which trees are to be protected during development (tree barricades, fencing, etc.) as specified in Section 9.4.4.
 - For Subdivisions of 10 acres or greater, including but not limited to, parks, playgrounds, and golf courses, a scaled infrared or high resolution black and white aerial photograph or print of equal quality may be substituted in cases where the Planning Director determines that it would provide the same information as a tree plan. However, all Grand Trees in proposed construction areas and trees protected by wetland buffers should be surveyed and mapped.
 - Site plans required for any re-zoning or subdivision of a single-family residential parcel shall designate Grand trees of 24 inch DBH or greater.
- E. INSPECTIONS AND FINAL APPROVAL**
- The Planning Director shall periodically visit development sites prior to completion to monitor compliance with the tree plan approved for a project.
 - Prior to issuance of a certificate of occupancy for a completed structure by the Director of Building Services, the Planning Director shall issue a statement of approval attesting to the developer's compliance with the site plan approved for the project (including landscaping, parking, drainage, etc.). The Director of Building Services shall withhold certificates of

- occupancy pending verification of compliance. It is the responsibility of the owner or agent to contact the Planning Director regarding the compliance inspection. Such inspections will occur within 5 working days of contact. Failure to obtain a Certificate of Occupancy prior to occupying or using the building for its intended purpose will result in ticketing and fines. However, a delayed planting affidavit with a bond of one and one-half (1.5) times the projected cost of the planting materials may be granted in part or in whole, at the Planning Director's discretion, when the immediate planting schedule would be a detriment to the health of the plants. This is designed to include severe weather, such as droughts, heat waves, and floods.
- Within 3 years of the issuance of the certificate of occupancy, the Planning Director shall perform a site inspection to verify the health of trees which were retained to meet the requirements of this article and which may have suffered damage due to insufficient protective measures during development.
 - Each required tree that is determined by the Planning Director to be diseased or injured to the extent it is irreparably damaged shall be approved for removal. The burden of proof of the extent of the disease or injury shall rest with the applicant, who must provide documentation from a qualified arborist. Any tree damaged during or as a result of construction shall be repaired to the satisfaction of the Planning Director and in accordance with accepted ANSI A300 or International Society of Arboriculture practices. Tree damage must be repaired prior to issuance of a Certificate of Occupancy.
 - The owners of a non-exempt property or properties shall be responsible for the maintenance of all required trees. No department or agent of the County of Charleston is in any way responsible for the maintenance of required trees on private property.
- F. VIOLATIONS AND PENALTIES**
Violations and penalties are specified in Chapter 11 of this Ordinance.
- G. EMERGENCY PROVISIONS**
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, natural disasters, negligence, the Planning Director may waive requirements of this article. Written findings must later be issued, outlining the threat to public safety which initiated the removal. The Planning Director may require replacement of required trees that are removed where it is determined that death or disease resulted from negligence.
- H. VARIANCES**
Variances from the requirements of this article may be approved in accordance with the provisions specified in this Ordinance.
- §9.4.4 REQUIRED TREE PROTECTION**
- A. PRE-CONSTRUCTION PLANNING CONFERENCE**
Prior to commencement of development activities, a pre-construction planning

conference for tree preservation shall be held on-site with the Planning Director's representative, the applicants, and any parties deemed appropriate for the purpose of determining if there is a need for additional tree protection techniques and for designating placement of tree barricades, construction employee parking, temporary construction office and dumpster.

B. TREE PROTECTION DURING DEVELOPMENT AND CONSTRUCTION

Protective barricades shall be placed around all required trees in or near development areas on all zoning parcels, including residential, as approved by the Planning Director, prior to the start of development activities. These barricades, constructed of wood or plastic fencing or other approved materials shall be erected in accordance with standards provided by the Planning Director and placed beneath the canopy dripline or 1.5 feet times the DBH of the tree. Other protective devices or construction techniques may be used as approved by the Planning Director. The barricades shall remain in place until development activities are complete. The area within the protective barricade shall remain free of all building materials, dirt, fill, or other construction debris, vehicles, and development activities. All required trees are also subject to the provisions of Section 9.5.6. of this Chapter and subject to the enforcement criteria of Chapter 11.

C. PARTIAL EXCEPTION FOR LIMITED CLEARING

Limited clearing and grubbing may be authorized by the Planning Director prior to the installation of protective tree barricades on sites that exhibit unusually heavy undergrowth where access to the interior of the site and its protected trees would be otherwise highly impractical. If permitted, this clearing shall be done by hand with hand tools or gas powered push type or walk behind equipment designed for brush and undergrowth clearing. Under no circumstances will metal tracked bulldozers, loaders, or similar rider/operator types of equipment be allowed on the site until the protective barricades are erected and a zoning permit is issued.

D. SEPARATION OF TREES FROM PAVEMENT, GRADING AND STRUCTURES

Paved areas shall be separated from trees by a minimum distance of the drip-line or 1.5 feet times the DBH or as modified by the Planning Director as deemed necessary to protect the root system of the tree. Paved areas shall not constitute more than 25% of the protected area beneath a tree. Any paving, grading, trenching, or filling within the remaining 75% of the protected area must be approved by the Planning Director and may require specific construction techniques be used in order to preserve the health of the tree. Refer to Chapter 9 exhibits for examples. When grading and construction within the protected area of a tree has been approved, all damaged roots shall be severed clean and inspected by the County Landscape Architect or Inspector prior to the receipt of a Zoning Permit.

E. GRAND TREES

On the entirety of any zoning lot, Grand Trees are prohibited from removal and are to be protected per Section 9.4.4B of this Chapter during development and construction, unless specifically permitted to be removed under Section 9.4.5 of this Chapter.

F. REQUIRED TREES

Upon the issuance of a Zoning Permit, the following number of trees with a diameter breast height of 6 inches or greater shall be preserved on nonresidential

parcels and protected in accordance with Section 9.4.4.B of this Chapter during development:

- 20 trees per acre; or
- any number of trees with a combined diameter breast height of at least 160 inches per acre.

G. UNDEVELOPABLE AREAS

- Required drainage improvements such as detention and retention ponds located on a tract will be subtracted from the area used to calculate tree preservation requirements.
- Where trees are retained within wetland areas, they may be used to fulfill otherwise applicable tree preservation requirements of this article. Wetlands will be subtracted from the area used to calculate tree preservation requirements.

§9.4.5 TREE REMOVAL

A. GENERALLY

Where difficulties are encountered in complying with the tree preservation requirements of this article, applicants or their design professionals are encouraged to consult with the Planning Director. Permits for tree removal may be approved where 1 or more of the following conditions are deemed to exist by the Planning Director:

- trees are not required to be retained by the provisions of this article
- trees are diseased, dead or dying (as determined by the Planning Director or a qualified arborist);
- trees pose a safety hazard to nearby buildings, or pedestrian or vehicular traffic;
- trees prevent essential grade changes or all reasonable utility installations;
- prevent all reasonable site configurations;
- removal of trees is the only reasonable means by which building, health, public safety, or other County requirements can be met.
- removal of required trees has been approved by the Board of Zoning Appeals.

B. GRAND TREES

Healthy trees 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 Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such trees.

1. Permitted Removal

Permits for Grand Tree removal may be approved where trees are diseased, dead, or dying, as determined by the Planning Director.

2. Emergency Provisions

Trees may be removed under emergency conditions as provided in Section 9.4.3.G of this Chapter.

§9.4.6 TREE REPLACEMENT

A. GENERALLY

Tree replacement shall be required accompanying development on all non-exempt properties in the manner described below:

- When replacement canopy trees are required in fulfillment of the requirements of this article, they shall be no smaller than 2½ inches caliper.
- The 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. WOODED SITE WITH 160 INCHES PER ACRE OR MORE DBH

When trees of 8" DBH or greater have been removed from a lot as outlined in Section 9.4.5.A of this Chapter, replacement trees shall be planted in the same general area according to a replacement schedule approved by the Planning Director.

C. SITES WITH LESS THAN 160 INCHES PER ACRE COMBINED DBH

When lots lack a sufficient number of trees to meet the requirement for DBH/number of trees per acre, all trees 6 inches DBH or greater shall be preserved and protected in accordance with Section 9.4.4.B of this Chapter during development and must equal no less than 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 Planning Director.

D. PREVIOUSLY CLEARED SITES

Where sites were completely cleared of trees prior to 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 Planning Director.

E. TREE FUND

The Tree Fund is a fund established to receive monies exacted from tree removal violation fines to include, but not be limited to, removal, damage, destruction, or as defined in Section 9.4.1.D 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 Planning Director shall impose a Tree Mitigation fee based on the current market retail value of 2½" caliper trees installed to the American Association of Nurserymen Standards. If the applicant disagrees with the amount of the Tree Mitigation fee imposed, they may file appeal

with 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.

F. BANKRUPTCY OR ABANDONMENT OF SITE

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 Section 9.4.6E of this Chapter.

ART. 9.5 LANDSCAPING, SCREENING AND BUFFERS

§9.5.1 APPLICABILITY

Unless expressly exempted, the landscaping, screening and buffering standards of this article shall apply to all new nonresidential development and all new major roadways that serve residential major subdivisions (10 or more lots). Minor subdivisions (those with fewer than 10 lots) may be required to provide landscaping, screening or buffering on major roadways when the Planning Director determines that such landscaping, screening or buffering is necessary to ensure that the purposes of this Ordinance are met. When modifications or additions are being made to an existing non-residential building or site, the standards of this article shall apply to those portions of the subject parcel that are directly affected by the proposed improvements, as determined by the Planning Director, provided that when modifications or additions are proposed that would increase the number of parking spaces, the area of vehicular use areas or gross floor area of buildings by more than 25 percent (above existing), then the entire parcel shall be brought into compliance with all applicable standards of this article. Before calculating the percentage of area for re-development and improvement, any proposed demolition of structures and parking is subtracted from the existing gross floor area of buildings and number of parking spaces.

§9.5.2 EXHIBITS

Drawings included as exhibits at the end of this chapter are meant to compliment the language of the Ordinance. In the event of a conflict with the text of the Ordinance, the text shall apply.

§9.5.3 PARKING, LOADING AND VEHICULAR USE AREA LANDSCAPING

A. PARKING, LOADING AND VEHICULAR AREA PERIMETERS

Unless otherwise expressly stated, perimeter landscaping shall be required around the outer perimeter of all off-street, surface parking, loading and vehicular use areas. Parking areas for the exclusive use of single-family or agricultural uses shall be exempt from these requirements. Any off-street parking, loading or vehicular use area that will be entirely screened from view by an intervening building or structure or by a buffer provided to satisfy the standards of this Chapter shall also be exempt from these (parking, loading and vehicular use area) perimeter landscaping requirements.

- A perimeter landscape area at least 8 feet in depth shall be provided at the perimeter of all off-street parking, loading and vehicular use areas, except where permitted driveway openings are to be provided. Where drainage or other utility easements exist along property lines, the perimeter landscape area shall be located adjacent to the easement.

2. Required perimeter landscape areas shall be planted in accordance with the following minimum standards:
 - a. One canopy tree shall be provided for each 50 linear feet of parking, loading or vehicular use area perimeter. These trees may be used to satisfy the interior parking lot landscaping requirements.
 - b. A hedge or other landscape material of at least 3 feet in height (at maturity) shall be planted within the perimeter landscape area to provide a continuous landscape element, or a combination of trees, hedge, other durable landscape material or approved wall, fence or earth berm may be used to form the continuous landscape element;
 - c. All portions of the perimeter landscape area not planted with shrubs or trees or covered by a wall or fence barrier shall be planted in grass or ground cover; and
 - d. Parked vehicles may overhang a landscaped area if curbing or wheel stops are installed to prevent any damage to plants within the required perimeter landscape area. Landscaping, walls, fences and earth berms will be so located as to prevent their damage and/or destruction by overhanging vehicles.

B. INTERIOR AREAS

The following interior parking lot landscaping requirements shall apply to all parking lots except those exclusively serving single-family residential or agricultural uses

1. A minimum of 1 landscape island shall be provided for each 10 parking spaces within an off-street parking area. Required landscape islands shall have a minimum of 325 square feet, variably dependent upon the species of the canopy tree proposed by the designer. Each parking lot bay must terminate with a tree island.
2. Each required landscaping island shall contain at least 1 canopy tree and there shall be no more than 10 parking spaces in a row between tree islands. Interior parking landscape islands that separate double loaded parking bays shall be a minimum of nine (9) feet wide. Canopy trees planted in these islands must be planted in line with the parking stripes (between vehicles) and may be used to satisfy the parking lot tree requirements; however, all parking lot bays must terminate with a tree island. Example shown in Chapter 9 Exhibits.
3. Curbs, wheel stops or other approved protective barriers shall be installed around all required landscape islands, as approved by the Planning Director.
4. Landscaping provided to meet the right-of-way buffer standards of Section 9.5.4 of this Chapter may not be used to satisfy interior parking lot landscaping requirements. Canopy trees provided to meet perimeter adjacent use buffer landscaping requirements may be counted to satisfy interior parking lot landscaping requirements.

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Ashley River Road (viaduct to Muirfield Parkway/Mactaura Hall Avenue)	S5	Mark Clark Expressway	S5
Ashley River Road (Muirfield Parkway/Mactaura Hall Avenue intersection to Charleston city limits)	S6	Mary Ann Point Road	S4
Bears Bluff Road	S5	Mathis Ferry Road [1]	S4
Bees Ferry Road	S4	Maybank Highway Corridor [2]	S1
Belvedere Road	S4	Maybank Highway (James Island)	S5
Betsy Kerrison Parkway [1]	S5	Maybank Hwy (Main Road including Wadmataw Island to Rockville)	S1
Bohicket Road [1]	S5	Meeting Street	S4
Botany Bay Road	S4	Murraywood Road	S4
Brownwood Road	S4	Old Georgetown Road	S4
Cane Slash Road	S4	Old Georgetown Road (front and back) in the "Loop" area (designated on the Mount Pleasant Overlay map)	S1
Central Park Road	S3	Old Jacksonville Road	S4
Chisolm Road	S4	Old Pond Road	S4
Chuck Dawley Boulevard	S1	Old Towne Road	S1
Coleman Boulevard	S1	Orange Grove Road	S1
Doar Road	S4	Orleans Road	S1
Dorchester Road	S1	Parkers Ferry Road	S4
Eddingsville Beach Road	S4	Patton Avenue/Hickling Hill Road	S4
Edenvale Road	S4	Peters Point Road	S4
Folly Road	S3	Pine Landing Road	S4
Fordham Road	S1	Plow Ground Road	S4
Grimball Road (Folly Road to Riverland Drive)	S3	Raccoon Island Road	S4
Fort Johnson Road [1]	S4	Rifle Range Road	S3
Hamlin Road	S4	River Road [1]	S5
Harborview Road	S1	Riverland Drive [1]	S4
Highway 162	S4	Rivers Avenue	S1
Highway 165	S4	Rutledge Road	S4
Highway 17N (east of Isle of Palms Connector, not including Old Georgetown Hwy "Loop" area)	S4		
Highway 17 in the Old Georgetown Road "Loop" area (as designated on the Mount Pleasant Overlay map)	S1	Sam Rittenberg Boulevard	S3
Highway 17 (west of the Isle of Palms Connector intersection)	S1	Saint Andrews Boulevard	S1
Highway 17 Bypass	S1	Savage Road	S3
Highway 174 (Highway 164 to Edisto Beach) [1]	S5	Savannah Highway	S3

§9.5.4 LANDSCAPE BUFFERS

A. RIGHT-OF-WAY BUFFERS

1. **Applicability**
All Right-of-way buffers shall be required adjacent to road rights-of-way for all uses except for the following: agricultural and existing residential uses. Minor subdivisions may not have to comply with the requirements of this section if the Planning Director determines that compliance is not necessary to satisfy the purposes of this Ordinance.
2. **Buffer Reductions**
The Planning Director shall be authorized to reduce the depth of a required right-of-way buffer by up to one-third its depth if the following circumstances exist:
 - a. The parcel is located on a corner lot with required right-of-way buffers of 25 feet or more;
 - b. Buffers will not serve any useful purpose due to the location of buildings, structures, storage, loading, display or service areas or;
 - c. The area of all required buffers, including Land Use Buffers and Tree Protection Areas, exceeds 30 percent of the site.
3. **Buffer Types By Roadway**
 - a. Local and Collector Streets
Buffers along local and collector streets shall comply with the S2 buffer requirements of Section 9.5.4.A.4 of this Chapter.
 - b. Other Streets and Roads
Buffers shall be required along major roadways in accordance with the following table: (See Section 9.5.4.A.4 of this Chapter for an explanation of buffer types).

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Abbapoola Road	S4	Liberia Road	S4
Ashley Hall Road	S1	Long Point Road (SPA Wando Terminal to I-526)	S1
Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	S1	Long Point Road (Outside of MP-O district) [1]	S4
Ashley River Road (Sam Rittenberg Boulevard to Mark Clark Expressway)	S3	Magwood Road	S3
Ashley River Road (Church Creek to railroad viaduct)	S4	Main Road	S5
Ashley River Road (Mark Clark Expressway to Church Creek)	S4	Manse Road	S4

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Highway 174 (Highway 17 to Highway 164)	S3	Seewee Road	S4
Highway 41	S4	South Santee Road	S4
Highway 45	S4	Steamboat Landing Road (Jenkins Hill Rd to Steamboat Creek)	S4
Highway 61 (south of Bees Ferry Road)	S4	Tibwin Road	S4
Highway 61 (north of Bees Ferry Road) [1]	S6	Toogoodoo Road	S4
Highway 78	S1	Venning Road	S4
Humbert Road	S4	Waggon Road	S1
James Island Bridge/Highway 61 Connector	S3	Wescott Road	S4
James Island Expressway	S4	Westley Drive	S3
Ladson Road	S1	Wiltown Road	S4

[1] Daniles 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] S6 for industrial use; S5 all other uses.

4. Buffer Depth and Planting Standards

STANDARD	BUFFER TYPE					
	S1	S2	S3	S4	S5	S6
MIN. BUFFER DEPTH (ft from right-of-way)[1]	15	20	25	50	75	200
MINIMUM BUFFER LANDSCAPING (Plants per 100 linear feet)[2][3]	2	2	3	6	8	21
Canopy Trees[4]	3	4	5	9	12	20
Understory Trees (at least 50 percent evergreen)	30	35	40	50	60	75
Shrubs	2	2	2	2	2	NA
Street Trees (may be counted toward canopy tree req)						

- All trees with a diameter breast height (DBH) of 6 inches or greater within buffers shall be preserved.
- [1] Buffers may be traversed by permitted driveways and pedestrian ways.
 - [2] The retention of natural buffers shall be required along designated scenic roadways and encouraged along all other roadways. The Planning Director shall be authorized to waive/modify minimum buffer planting requirements when an undisturbed natural buffer exists that is the same depth as that which is required.
 - [3] Bradford Pears cannot be used to fulfill any of the tree requirements of this Ordinance. Any exotic species which are proposed by the designer are subject to approval of the Planning Director.
 - [4] When existing overhead utility lines are located such that they may pose interference with required canopy trees, Palmetto trees may be substituted to fulfill the canopy tree requirements. These trees are to be planted at a ratio of three Palmetto trees to one canopy tree and are to be planted in groupings of three.
- Note: The 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.

B. LAND USE BUFFERS

1. **Applicability**
Land use buffers shall be provided in accordance with the standards of this

section, provided that the Planning Director shall be authorized to modify or waive buffer or landscape planting requirements if it is determined that:

- a. buffers will not serve any useful purpose due to the fact that fences, walls, berms, or landscaping of at least equivalent height, opacity, and maintenance already exist on the adjacent parcel;
- b. buffers will not serve any useful purpose due to the location of uses, vehicles, buildings, structures, or storage, loading, display or service areas; or
- c. the area of required buffers would exceed 25 percent of the site proposed for development.

When landscape buffer requirements are modified or waived, the Planning Director may require that additional plant material be added within remaining buffers or elsewhere on the site.

2. Exemptions

Single-family development on individual lots shall be exempt from the land use buffer requirements of this section.

3. Determination of Required Buffers

The following procedure shall be used in determining which of the buffer types in the Land Use Buffer Table (Section 9.5.4.B.4) of this Chapter apply:

- a. Determine the type of use proposed for the site that is being developed. This is the "Proposed Use" (Column 1)
- b. Determine the residential use type that exists on the adjacent parcel (if residential) or the zoning district classification that applies to the adjacent parcel. This is the "Adjacent Site's Use or Zoning."
- c. Identify the type of landscape buffer required along the developing site's boundary (A, B, C, D, E, or F)
- d. Refer to Section 9.5.4.B.5 of this Chapter to identify the buffer depth and landscaping standards for the required buffer type

4. Land Use Buffer Table

Land Use Buffers shall be provided along side and rear yards in accordance with the following minimum requirements:

PROPOSED USE	USE OR ZONING OF ADJACENT SITE											AGRICULTURAL USE
	RESIDENTIAL TYPE			ZONING DISTRICT							I	
	1	2	3	R(1)	OR	OG	CN	CT	CR	CC		
Residential Type 1	-	A	B	-	A	B	B	B	B	C	D	F
Residential Type 2	A	-	A	-	A	B	B	B	B	C	D	F
Residential Type 3	B	A	-	-	A	A	B	B	B	C	D	F
Civic/Institutional	B	B	A	A	-	-	-	-	-	-	-	F

PROPOSED USE	USE OR ZONING OF ADJACENT SITE											AGRICULTURAL USE
	RESIDENTIAL TYPE			ZONING DISTRICT							I	
	1	2	3	R(1)	OR	OG	CN	CT	CR	CC		
Commercial Type 1	B	B	B	B	-	-	-	-	-	-	-	-
Commercial Type 2	C	C	C	C	C	B	B	-	-	-	-	-
Industrial Type 1	E	F	D	D	D	D	C	C	C	B	-	-
Industrial Type 2	F	F	F	F	E	E	D	C	C	C	A	-

[1] Applies to undeveloped (vacant) R and AGR zoned property.
Residential Use Types: Type 1 = Single-Family Detached; Type 2 = Duplex and Single-Family Attached; Type 3 = Multi-Family and all other residential use types, including manufactured housing parks.
Commercial Use Types: Type 1 = Any commercial use type, including manufactured housing parks = all other commercial uses that are allowed in commercial (C) zoning districts (commercial uses are those listed in the "Commercial" rows of Use Table 6.1-1).
Industrial Use Types: Type 1 = Any industrial or commercial use that is first allowed in an industrial (I) zoning district; Type 2 = Waste-Related uses, Resource Extraction uses and Recycling Centers.

5. Buffer Depth and Landscaping Standards

STANDARD	BUFFER TYPE					
	A	B	C	D	E	F
MIN. BUFFER DEPTH (ft from property line)	10	15	25	40	60	100
MINIMUM LAND USE BUFFER LANDSCAPING (Plants per 100 linear feet) [1][2]						
Canopy Trees	2	3	3	5	7	9
Understory Trees (at least 50 percent evergreen)	3	4	4	7	9	11
Shrubs	20	20	25	30	40	50

- [1] The Planning Director shall be authorized to require the installation of fences, walls or berms within required buffers where deemed necessary to ensure land use compatibility or otherwise protect the visual quality of an area.
- [2] All trees with a diameter breast height (DBH) of 6 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 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. Required buffers shall be noted on all plats, plans and permit requests submitted for review and approval under this Ordinance.

2. Use of Buffers

The Planning Director shall be 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 Planning Director determines that such improvements will not detract from the intended purpose and function of the buffer or have any adverse affect on adjacent property.

§9.5.5 LANDSCAPE PLANS

Landscape and Planting Plans submitted to meet the requirements of the Ordinance are to be drawn to the same scale as the Site Plan depicting proposed shrubs and trees at maturity. It is strongly encouraged that all Landscape Plans be prepared by a licensed registered Landscape Architect or Landscape designer familiar with the growth habits and characteristics of plant material available in the Charleston area. 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.

§9.5.6 LANDSCAPE MATERIAL STANDARDS

Landscape and plant material used to satisfy the standards of this Ordinance shall comply with the minimum standards of this section.

A. PLANT MATERIAL

1. Existing Plant Material

Vegetation and plant material that exists on a parcel prior to its development may be used to satisfy the landscaping standards of this section provided that it meets the size and locational requirements of this article.

2. Size

Unless otherwise expressly stated, all plant materials used to satisfy the requirements of this Ordinance shall meet the following minimum size standards:

PLANT TYPE	MINIMUM SIZE
Canopy Tree	2 1/4 inches caliper and 12 feet in height
Understory/Ornamental Tree	8 feet (height)
Evergreen/Conifer Tree	5 feet (height)
Shrubs	3 gallon and 18" to 24" in height or spread

Note: At least 50 percent of required understory trees shall be evergreens. Any plant material that grows to an ultimate height of less than 18 inches shall be considered a groundcover and cannot be used to fulfill any of the shrub requirements of this Ordinance.

3. Species

Species of plant material used to satisfy the requirements of this section shall be indigenous to the Charleston County area or are cultivated to survive in the climate of this area. No single plant species shall represent more than 40 percent of total landscape plantings, except for projects whose landscape requirements for canopy trees are lower than 10.

4. Quality

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 balled and burlapped or container-grown.

5. Additional Landscape Treatment

All required landscape areas, including drainageways and detention/retention ponds, and buffers not dedicated to trees, shrubs or preservation of existing vegetation shall be landscaped with grass, ground cover, or other landscape treatment, not including 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

Berms and landscape structures shall comply with the following minimum standards.

1. Fences and Walls

Fences and walls used as a screen shall be at least 95 percent opaque, with a minimum height of 6 feet.

2. Berms

Earthen berms shall have a minimum height of 3 feet, with a slope not to exceed 3:1, variable dependent upon the plant materials and soil type used. The toe of any berm shall be located at least three (3) feet from the ultimate right-of-way or property line.

§9.5.7 INSTALLATION, MAINTENANCE AND REPLACEMENT

A. INSTALLATION

All landscaping shall be installed according to American Association of Nurserymen Standards and sound nursery practices in a manner designed to encourage vigorous growth. Sites for plant material shall be prepared or improved in accordance with American Association of Nurserymen Standards for soil preparation and drainage. Subsurface drainage shall be provided where berms, elevated planting areas or other suitable means for providing proper drainage do not exist.

B. IRRIGATION

The Planning Director shall be authorized to require the installation of automatic irrigation (sprinkler) systems when deemed necessary to ensure plant survival and proper growth.

C. MAINTENANCE AND REPLACEMENT

Required trees, shrubs, walls and other landscape features shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the plan. The land owner, or successors in interest, shall be jointly and severally responsible for the following:

- 1. Regular maintenance of all landscaping in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging,

- mulching or other maintenance, as needed and in accordance with acceptable horticultural practices, including ANSI standards for Tree Care Operations and American Association of Nurserymen standards;
- 2. The repair or replacement of required landscape structures (e.g., fences) to a structurally sound condition;
- 3. The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this section; and
- 4. Continuous maintenance of the site as a whole.

When replacement of trees, plant material or other landscape features is required, such replacement shall be accomplished within one growing season, one year or such time-frame as required by the Planning Director, whichever is shorter.

ART. 9.6 ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES

§9.6.1 PURPOSE

The purpose of these standards is to promote attractive well-designed development that is built to human-scale; 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.

§9.6.2 APPLICABILITY

These standards shall apply to all developments that are subject to Site Plan Review (See Article 3.7)

§9.6.3 ARCHITECTURAL DESIGN GUIDELINES

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 should incorporate fascias, canopies, arcades, building setbacks of 3 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.
- 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.

- 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 dominating 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 which 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. Unpainted or bare metal panels, regardless of depth or thickness, shall be prohibited as an exterior building material.
- 3. Corrugated or sheet metal, except stainless steel, copper, or galvanized metal shall be prohibited as an exterior building material along any building elevation visible from public rights-of-way.
- 4. 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.
- 5. 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.

- 6. Any building exterior elevation shall consist of architectural materials which 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.
- 7. 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 complimentary. 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. 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 without requiring pedestrians to walk through parking lots or cross driveways.
- 2. Where it is reasonably practical, proposed structures shall not impede scenic rural views from the main road, from existing structures, or from natural settings.
- 3. Structures shall be oriented so that loading areas are in no manner visible from residential districts, from existing rights-of-way or from planned future public rights-of-way. 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 entirely screened from view by the use of fencing which is compatible with the overall architectural scheme of the project and/or are appropriately landscaped.

- 4. All corner developments shall have buildings located close to the corner with majority of parking to the side and rear.
- 5. 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.
- 6. Gas stations. Buildings shall be sited so that gasoline pump dispensers are located to the side of the building or located behind the buildings so that the building is between the pumps and the primary street frontage. If located on a corner lot, the building would have to be situated in the corner of the lot at the intersection.

F. MECHANICAL EQUIPMENT SCREENING

Mechanical equipment, whether ground level, raised, or roof-top, shall be shielded and screened from public view, and designed to be perceived as an integral part of the building.

§9.6.4 LANDSCAPING DESIGN GUIDELINES

The purpose and intent of Landscaping Design Guidelines is to reduce the visibility of paved areas from adjacent properties and streets, moderate climatic effects, minimize noise and glare, and enhance public safety by defining spaces to influence traffic movement. Landscaping will reduce the amount of stormwater runoff and provide transition between neighboring properties. The following criteria shall be used in evaluating applications:

A. GENERAL DESIGN

- 1. Landscaping shall be required between buildings and sidewalks, and parking lots and driveways. The scale of the proposed landscaping shall be in proportion to the building.
- 2. Landscaping does not only include trees and plantings but also paving, benches, fountains, exterior lighting fixtures, fences, and any other item of exterior furniture. All items of the landscape are to be selected not only for their functional value but for their aesthetic value and must compliment the whole.
- 3. All utility lines in the suburban areas such as electric, telephone, CATV, or other similar lines serving individual sites as well as all utility lines necessary within the property shall be placed underground. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity for utility connections, meter boxes, and the like, should be recognized and integrated with the architectural elements of the site plan. All properties shall comply with the County's Right of Way Management Ordinance where applicable.
- 4. Ease of pedestrian access between proposed developments and adjacent developments shall be a required consideration in the development of a proposed project's site and circulation plans.

B. PARKING/DRIVES

1. Parking areas and driveways shall be paved with material which is appropriate to the comprehensive design scheme of the project and to the intensity of use to which parking areas and driveways will be subject.
2. Buildings shall be sited so that the majority of parking is located to the side and rear of the building. The placement of the major portion of a proposed development's parking area to the rear of a main structure's corridor facade, or within a courtyard surrounded on three sides by a proposed structure, is strongly encouraged. The rationale for this guideline is to promote good proportional spatial definition for the corridors to be accomplished through a reduction in the distance required for a building's setback.
3. Drive-through access shall be integrally designed with the building and not dominate the design. Only single lane drive-throughs are allowed. Multi lane drive-throughs are only allowed for banks (or similar financial institutions), post office or utilities.

C. SITE LIGHTING

1. Site lighting shall be of low-intensity from a concealed light source fixture, which does not distort colors or structures and shall not spill over into adjoining properties, roadways, or in any way interfere with the vision of oncoming motorists.
2. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed 0.5 foot candles above the background measured at the lot line of any adjoining residential or agricultural parcel and public right-of-way.
3. Lighting shall enhance the overall aesthetics of the site.
4. Security lighting shall be provided, particularly at pedestrian walkways.
5. Lighting shall be integrated with architectural design of the buildings.
6. Light sources (light bulbs) shall not be visible. They shall be shielded to reflect down onto the ground and not out onto the streets or neighboring property.

ART. 9.7 WETLANDS, WATERWAYS AND OCRM CRITICAL LINE BUFFERS AND SETBACKS

§ 9.7.1 WETLAND BUFFERS AND SETBACKS

A. INTENT

The buffer standards of this article are intended to provide a natural vegetated area between the furthestmost projection of a structure, parking or driveway area, or any other building elements, and all saltwater wetlands, waterways and OCRM (saltwater) critical lines. The purpose of these required buffers is to provide a visual,

spatial, and ecological transition zone between development and the County's saltwater wetlands and waterways, and to protect water quality and wildlife habitat.

B. WETLAND, WATERWAY AND OCRM CRITICAL LINE BUFFER DEPTH AND SETBACKS

1. Standards

The following minimum wetland/waterway buffers/setbacks shall be required:

Minimum Buffers/Setbacks (feet)	AG 25	AG 15	AG 10	AG 8	AGR	RR-3	RR-1	RS L	RS M	MHS	MHP
OCRM Critical Line Buffer	35	35	35	35	35	35	35	35	15	15	15
Setback from OCRM Critical Line	50	50	50	50	50	50	50	35	35	35	35

Minimum Buffers/Setbacks (feet)	OR	OG	CT	CN	CR-1	CR-2	CC	I-1
OCRM Critical Line Buffer	35	35	35	35	35	35	35	35
Setback from OCRM Critical Line	50	50	50	50	50	50	50	50

2. Reduction of OCRM Critical Line Setbacks

The 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 and when it is determined by the Director that the setback reduction will not have a significant adverse impact on public health or safety.

3. Reduction of Buffers and Setbacks on Parcels Created Prior to April 21, 1999

When the application of buffer/setback requirements contained within this Ordinance render a parcel that existed prior to April 21, 1999, unbuildable, the Planning Director shall be authorized to reduce front, side and rear yard buffers/setbacks as necessary to make a parcel buildable. The 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.

C. MEASUREMENT

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.

D. LOT WIDTH

The minimum lot width standards of the underlying zoning district shall apply at the required buffer or setback line.

§ 9.7.2 PROHIBITED ACTIVITIES

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. paved or other impervious surfaces; and
- E. destruction or addition of plant life which would alter the existing pattern of vegetation.

ART. 9.8 HISTORIC PRESERVATION

§ 9.8.1 INTENT

The standards of this section are intended to safeguard the integrity of historic structures, sites, and their context, and to protect public views of these resources along public right-of-ways.

§ 9.8.2 APPLICABILITY

The standards of this section shall apply to all sites (existing and future) listed on the National Register of Historic Places.

§ 9.8.3 DEMOLITION

No demolition of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance.

§ 9.8.4 MOVING

No relocation of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance. Relocation should not be considered, except as a final alternative to demolition.

§ 9.8.5 NEW CONSTRUCTION; EXTERIOR ALTERATIONS

No new construction located on a historic structure or site or significant exterior alteration of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance. In acting on the Special Exception, the Board of Zoning Appeals shall require that the applicant demonstrate that they have consulted with the South Carolina Department of Archives and History on the design of the new construction or alterations and that any new construction does not obscure the public's view of the site from public rights-of-way.

§ 9.8.6 NEARBY DEVELOPMENT

Subdivision plats for multi-family, manufactured housing park, office, commercial, or industrial development or residential subdivisions proposed to be located with 300 feet of a historic structure

or site should be reviewed to determine their impact on the historic site. The Planning Director shall require that potential negative impacts be minimized through the location of vehicular access points, screening/buffering and other site design tools.

ART. 9.9 TRAFFIC IMPACT STUDIES

§ 9.9.1 APPLICABILITY

A traffic impact study shall be required with applications for zoning map amendments, preliminary plats and planned developments that are projected to generate 100 or more peak hour vehicle trips, based on trip generation rates from the latest edition of the Institute of Transportation Engineers Trip Generation manual. The Planning or Public Works Director shall also be authorized to require traffic impact studies when it is determined that a proposed development is likely to have a significant impact on transportation capacity, transportation levels of service or traffic safety in the vicinity of the proposed development.

§ 9.9.2 STUDY SCOPE

When a traffic impact study is required, the type and scope of the study shall be determined during a scoping meeting with the Planning and Public Works Directors. The meeting may also involve representatives of or request assessments from other agencies and departments. The elements to be determined during the scoping session shall include:

- A. TYPE OF STUDY
The possible types of reports include: a letter report, full traffic impact analysis report or special report (e.g., sight distance survey).
- B. DEFINITION OF IMPACT AREA
The points of access and key streets and intersections that may be affected by development of the subject tract constitute the impact area. Traffic recorder and turning movement assessment locations shall be determined.
- C. PERIOD OF ANALYSIS
Periods of analysis may include: daily traffic, a.m., p.m. or weekend peak hour.
- D. ANALYSIS SCENARIOS
Scenarios for analysis include: existing conditions, opening year conditions with and without development, and 10 years after opening with and without development.
- E. PROCESS
Process for determining trip generation and distribution including: trip generation category, diversion assumptions and distribution assumptions.
- F. GROWTH RATE ASSUMPTION
The rate of growth assumed in background traffic assumptions.
- G. PIPELINE DEVELOPMENT
Developments in the area that have been approved or are under review.

§ 9.9.3 TRAFFIC STUDY ELEMENTS

A letter report or special report shall include those elements agreed upon in the scoping meeting. A full traffic impact study shall include the following elements.

A. EXISTING CONDITION SURVEY

1. Street System Description

The street system shall be described including geometric features, lane usage, traffic control, signage, sight distances and adjacent uses and curb cuts.

2. Traffic Volumes

Existing traffic volumes shall be provided for the impact area including both AADT (Average Annual Daily Traffic) and "Design" peak hour volumes. AADT may be derived from current counts of the South Carolina Department of Transportation (if available) and peak hour volumes shall be done from field counts. Data shall be adjusted for daily and seasonal variations. Turning movement counts for the peak hour shall be provided for critical intersections. Peak hour periods shall be as determined at the scoping meeting.

3. Capacity Analysis

Existing capacity of signalized and unsignalized intersections.

4. Other

Other items may be required at the discretion of the Public Works Director depending upon the type and scale of the project. These may include but are not limited to: queue length analysis, pedestrian counts, accident data, traffic speeds (both 50th and 85th percentile), and stopping sight distances.

B. FUTURE WITHOUT DEVELOPMENT

Capacity analysis is to be provided for opening year and plus 10-year for key intersections (and roadway segments where appropriate) without the development but including any planned developments. The analysis shall be based upon the Highway Capacity Manual or other methodologies approved in advance by the Public Works Director.

C. FUTURE WITH DEVELOPMENT

1. Projections of the daily and peak hour traffic generation of the project shall be made using the latest edition of the Institute of Transportation Engineers Trip Generation manual unless the Public Works Director determines that locally derived data will provide more accurate forecasts. Data from similar facilities may be used where the information is not available from the Institute of Transportation Engineers.

2. The projected trips shall be distributed onto the road network as agreed in the scoping meeting.

3. Capacity analysis for opening year and plus 10-year for key intersections (and roadway segments where appropriate).

4. Special analysis as may be required to determine warrants for signalization, minimum safe sight distances, gap analysis, turning radius requirements.

queue length analysis, turning lane length analysis, curb cut locations or similar requirements.

D. MITIGATION PLAN

Where the analysis indicates that the project will create deficiencies in the impact area, improvements shall be recommended which shall include projected cost estimates. The design of improvements shall be in accordance with specifications of the Public Works Director and, where appropriate, the South Carolina Department of Transportation. Where a Decision-Making Body determines that a mitigation plan is not adequate to address the traffic impacts of the project, it may serve as a basis for denial of the rezoning, preliminary plat or planned development request.

E. CONSULTANTS

The Public Works Director may require that a mutually agreed upon independent consultant be hired by the county to perform required traffic impact studies or to review all or part of a study prepared by the applicant's consultants. The Public Works Director is authorized to administer the contracts for such consultants.

1. The Public Works Director shall determine the scope of services to be performed by the independent consultant and receive a cost estimate of such services.

2. The applicant shall provide an amount equal to the estimate to the Public Works Director, who will deposit the amount in an escrow or special account set up for this purpose. Any funds not used for the independent consultant shall be returned to the applicant in a timely manner without interest.

3. The Public Works Director may require additional fees for the independent review if: the Decision-Making Body expands the scope of the required review; the applicant substantially amends the application; additional meetings involving the consultants are requested by the applicant; the consultant's appearance is requested at Planning Commission or County Council meetings beyond what was initially anticipated; or the consultant's attendance is required at meetings with regional, state, or federal agencies or boards which were not anticipated in the earlier scope of services.

ART. 9.10 VISION CLEARANCE

§9.10.1 MAJOR ROADWAYS

Corner lots on major roadways shall have no structure or obstruction that obscures travel vision from 30 inches to 10 feet above ground level in a triangular area formed by measuring from the point of intersection of the front and side lot lines a distance of 40 feet along the lot lines and connecting the points to form a triangle.

§9.10.2 COLLECTOR STREETS

On Collector Streets, the triangular area formed by measuring from the point of intersection of the front and side lot lines is 30 feet.

§9.10.3 SUB-COLLECTOR STREETS

On Subcollector Streets, the triangular area formed by measuring from the point of intersection of the front and side lot lines is 20 feet.

§9.10.4 PRIVATE DRIVES AND PRIVATE LANES

On private driveways of commercial or industrial activities, the triangular area formed by measuring from the point of intersection of the drive edge is 15 feet.

ART. 9.11 SIGNS

§9.11.1 GENERAL PROVISIONS

A. PURPOSE

This article provides comprehensive regulations for signage in Charleston County designed to promote public safety and welfare by reducing visual clutter along highways, facilitating the efficient transfer of information, and thus enhancing traffic flow and the ability to locate needed goods and services.

B. ADMINISTRATION AND ENFORCEMENT

1. Non-Commercial Copy

Any sign authorized in this section is allowed to contain noncommercial copy in lieu of any other copy. Noncommercial on-premises signs are permitted in any zoning district provided that such signs comply with the regulations of that district.

2. Building and Electrical Code Standards

All permanent signs must meet the structural and installation standards of the Standard Building Code and electrical standards of the National Electrical Code as enforced by the Charleston County Building Inspection Services Director.

3. Permit Required

No signs, except real estate signs shall be erected unless a zoning permit has been issued by the Planning Director in accordance with the procedures of this Ordinance.

4. Fees

An applicant for a zoning permit shall pay such fees as determined necessary for application processing. These fees are due upon submission of an application and shall be determined by County Council.

5. Permits

A permanent tag shall be attached to every installed sign. The tag shall remain the property of Charleston County and shall not be removed without the Planning Director's approval.

6. Documentation of Signs

Upon Request, the owner of any existing sign shall provide the Charleston

County Planning Director with evidence that documents the size, location and date of construction of all existing signs on the premises.

C. PROHIBITED SIGNS

The following signs shall be prohibited:

1. Flashing Sign
2. Pennants, Streamers, and other Animated Signs
3. Signs Imitating Traffic Devices (Signal)
4. Signs Imitating Traffic Signs
5. Signs in Marshes
6. Signs in Right-of-Way
7. Snipe Sign
8. Vehicle Sign
9. Roof Sign
10. Banners
11. Sandwich Signs

D. HOUSE NUMBERS

All permanent, free-standing, On-Premises signs shall contain house numbers containing number at least 4 inches in height. The area devoted to required house numbers shall not be included in the calculation of maximum sign area.

E. ILLUMINATION

1. All lighted On-Premises signs shall be set back at least 100 feet from property in an agricultural or residential zoning district.
2. Indirectly illuminated Off-Premises Signs shall be set back at least 200 feet from property in an agricultural or residential zoning district.
3. Directly illuminated Off-Premises Signs shall be set back at least 400 feet from property in an agricultural or residential zoning district.

F. SIGNS IN DISREPAIR

Signs in disrepair shall be repaired, renovated, or removed from the premises within 60 days following notice by Planning Director.

G. ABANDONED SIGNS

Signs advertising a person, business, service, event or other activity that is no longer available or other signs that contain inaccurate or outdated information shall be considered abandoned. Remedial action shall be taken within 30 days after a sign becomes abandoned. If no remedial action is taken, the Planning Director shall give notice to the owner of record who shall have 30 days to remove the sign prior to any further enforcement action being pursued. This provision shall apply to all abandoned signs, including those abandoned before April 21, 1999.

H. SIGNS INTERFERING WITH VEHICULAR VISION

1. In the area near the entrance of a driveway, no sign shall obscure the travel vision from 30 inches to 10 feet above ground level in triangular areas

formed by measuring from the point of intersection of any front lot line and driveway, a distance of 15 feet along the front lot line and driveway and connecting the points to form a triangle.

- No sign or structure shall be erected so as to interfere with the vision of vehicles operated along any highway, street, road or driveway, or at any intersection of any street, highway or road with a railroad track. Signs determined by the Planning Director to be in violation shall be removed or relocated immediately upon notice.

§9.11.2 ON-PREMISES SIGNS

A. FREE STANDING SIGNS

- Maximum size, height, width, length, number of sign faces, number of signs per establishment and required minimum height and setbacks are based upon establishment size and shall conform with Table 9.11.2-A.
- A maximum of 1 reader board shall be allowed per zoning lot for single or multi-tenant structures containing office, commercial, or industrial uses if attached to permanent free-standing signs. The area of the reader board shall be included in the site's total sign area allowance.

B. WALL/FACADE SIGNS

- A maximum of 2 signs shall be allowed per wall/facade, with a maximum of 4 per building. Total area of all signs shall not exceed square footage of Table 9.11.2-B.
- Maximum size of wall/facade signs is dependent upon building frontage and setback, in accordance with Table 9.11.2-B.

Table 9.11.2-A Free Standing On-Premises Signs

REQUIREMENT	ZONING DISTRICT		
	AGRICULTURAL	RESIDENTIAL	NONRESIDENTIAL
Maximum Area (sq. ft.)	10 (32 with Special Exception)	10	Bldg. Size (sq. ft.) Sign Size 0 - 2,500 = 50 2,500 - 25,000 = 100 25,000 - 100,000 = 150 100,000+ = 200
Maximum Height (ft.)	14	5	5-foot setback = 20-foot maximum height 15-foot setback = 30-foot maximum height
Minimum Height (ft.)	None	None	None
Maximum Width (height of sign with face) (ft.)	N/A	5	Ratio -- longest side: shortest side 5:1
Maximum Length (ft.)	N/A	5	Ratio -- longest side: shortest side 5:1
Setbacks (Front) (ft.)	10/10	10/10	5/10
Max. No. Sign Faces	2 per sign	2 per sign	2 per sign
Max. No. Signs	1 per major frontage	1 per major frontage	1 per major road frontage

Table 9.11.2-B Wall/Facade Signs

BUILDING LENGTH FACING STREET	SETBACK	MAXIMUM SIZE (SQ. FT.)
50 feet or less	0 - 99 ft. 100 - 399 ft. 400 or more ft. 50	50 100 150
More than 50 feet	0 - 99 ft. 100 - 399 ft. 400 or more ft.	Bldg. Frontage x 1 15% Bldg. Frontage x 2 OR of Bldg. Frontage x 3 facade

C. SPECIAL SIGNS

- Maximum size, number, and height of special signs shall conform with Table 9.11.2-C.
- Temporary Signs
 - Size, Number and Height
Maximum size, number and height of temporary signs shall conform with Table 9.11.2-C.
 - Types
Commercial and non-commercial temporary signs of the following varieties are permitted:
 - Banners are permitted only in the Savannah Highway/St. Andrews Boulevard Overlay District
 - Portable signs are permitted in accordance with standards of the National Electrical Code and anchoring provisions of the Standard Building Code.
 - Duration
 - Non-Commercial temporary signs shall be allowed for a maximum of 30 days per event.
 - Commercial signs temporary shall be allowed for a maximum of 30 days, starting with the opening of a business.

D. REAL ESTATE SIGNS

- Maximum size, number and height of real estate signs shall conform with Table 9.11.2-C of this Chapter.
- Signs shall face a maximum of 2 directions, and may be mounted back-to-back or V'ed.

- Where signs are V'ed, the space between panels shall not exceed 3 feet at the point at which panels are closest, and the interior angle formed by signs shall not exceed 60 degrees. For purposes of these requirements, V'ed signs shall be counted as 1 sign.
- Where signs face 2 directions, whether back-to-back or V'ed, both signs must be the same standard size.

E. FLAGS USED AS SIGNS

- A permit shall be required for the installation of all flag poles or flag display devices erected on lots zoned for multi-family, office, commercial, or industrial use or occupied by a multi-family, office, commercial, or industrial use.
- Applicants must submit with the permit application a scaled site plan giving the location of all flag poles and complete dimensional and installation engineering data.
- Applicants must provide documentation of minimum clearance from electric, telephone or cable TV lines as certified by the proper utility prior to issuance of permit, or installation.
- Maximum size and number of flags used as signs, and height of flag poles shall conform with Table 9.11.2-C of this Chapter.
- The American flag and the flag of the State of South Carolina are exempt from the provisions for maximum size of flags and maximum size of flagpoles in Table 9.11.2-C of this Chapter.

TABLE 9.11.2-C Special Signs

TYPE	MAXIMUM SIZE	MAXIMUM NUMBER	MINIMUM SETBACK MAXIMUM HEIGHT
Real Estate	"For Sale" (Residential) 8 sq. ft. Other (Nonresidential) 48 sq. ft.	"For Sale" (Residential) 2 per frontage Other (Nonresidential) 1 per 1,000 ft. Frontage Maximum: 3 per lot	"For Sale" 6 ft. (Residential) Other (Non-Residential) (see text) Max. Height: 15 ft.
Subdivision/Multi-Family I.D. Signs	32 sq. ft.	2 per entrance	Minimum setback: 5 ft. Maximum height: 15 ft.
Directional	3 sq. ft.	Unlimited	4 ft.
Temporary	40 sq. ft.	1 per lot per grand opening or eleemosynary event for 30 days	Minimum setback: 5 ft. Maximum height: 15 ft.
Flags	60 sq. ft.	3 per zoning lot	35 ft. or 15 ft. above highest point of roof

F. NONCONFORMING SIGNS
Refer to Chapter 10, Nonconformities.

§9.11.3 OFF-PREMISES SIGNS

- OUTDOOR ADVERTISING OF AMERICA STANDARDS
All Off-Premises Signs shall be constructed in compliance with Outdoor Advertising of America Standards.
- LOCATION AND SETBACKS
 - Off-Premises Signs shall be allowed in those zoning districts indicated in Chapter 6.
 - Permitted sizes, maximum height, minimum setbacks and location criteria shall be as indicated in Table 9.11.3-A of this Chapter.
- ORIENTATION
 - Signs shall face a maximum of 2 directions, and may be mounted back-to-back or V'ed.
 - Where signs are V'ed, the space between panels shall not exceed 3 feet at the point at which panels are closest, and the interior angle formed by signs shall not exceed 90 degrees.
- COMPATIBLE SIZE SIGNS
Where signs face 2 directions, whether back-to-back or V'ed, both signs must be the same standard size.
- NONCONFORMING SIGNS
Refer to Chapter 10, Nonconformities.

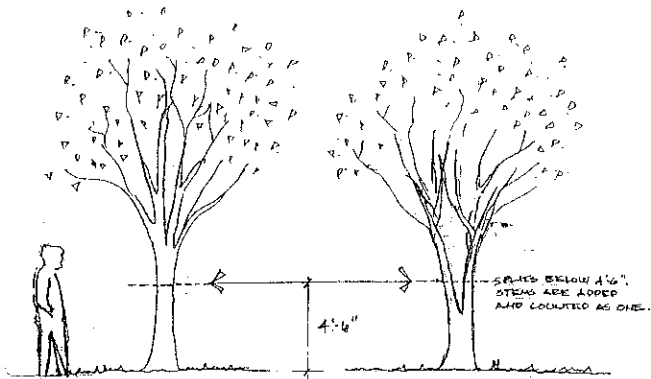
TABLE 9.11.3-A OFF-PREMISES SIGNS

Maximum Length	48 ft.
Maximum Width	14 ft.
Maximum Area	672 sq. ft.
Maximum Height	40 ft.
Minimum Setback (front/side)	25/20 ft.
Location Criteria	
Minimum distance to nearest off-premises sign	1000 ft.
Minimum distance to nearest on-premises sign	500 ft.

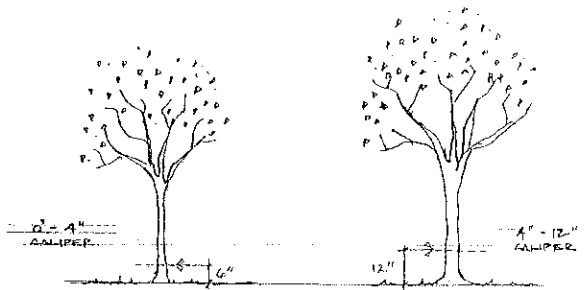
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Chapter 9 Exhibits

Note: The following exhibits are for illustration purposes only. In case of any difference of meaning or implication between the text of this Ordinance and any heading, drawing, table, figure, or illustration, the text shall control.

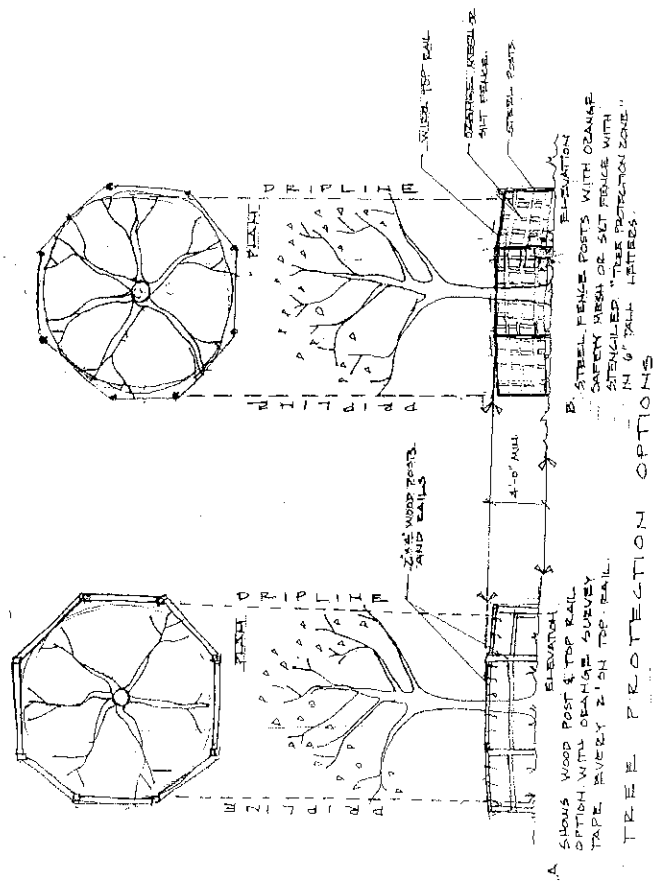


DBH: DIAMETER BREAST HEIGHT, FOR TREES GREATER THAN 12" CALIPER.

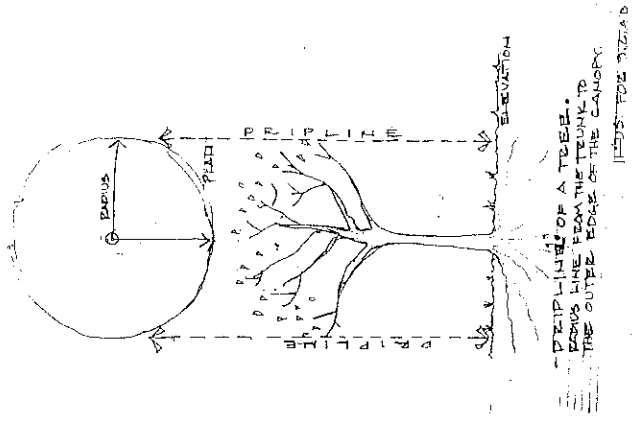


TREE MEASUREMENT METHODS...

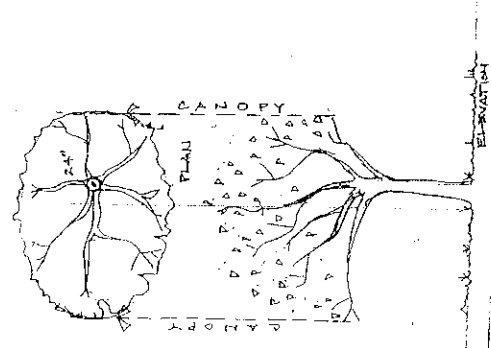
ILLUS. FOR 9.21 E.



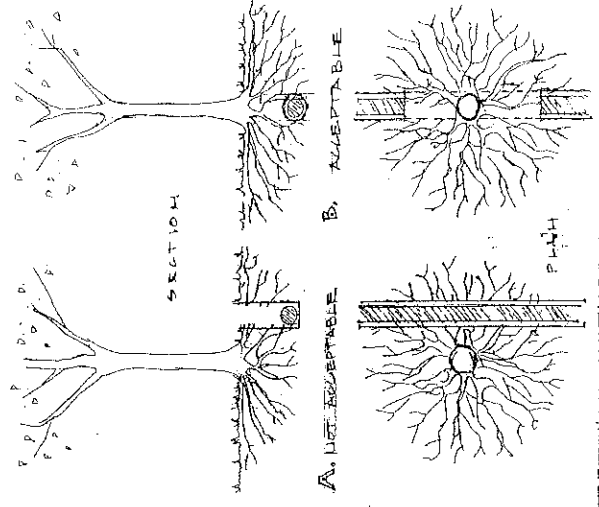
ILLUS. FOR 9.21 E.



DRIPLINE OF A TREE.
TRUNK LINE FROM THE TRUNK TO THE OUTER EDGE OF THE CANOPY.
HEADS TOE RADIA D

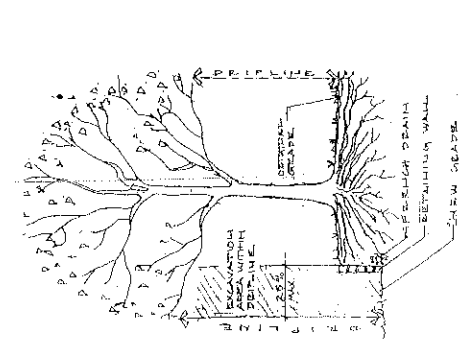


ACCURATE SCALED GRAPHIC REPRESENTATION OF TREE CANOPY AND TREE TRUNK FOR SURVEYS.
ILLUS FOR 9.2.3A

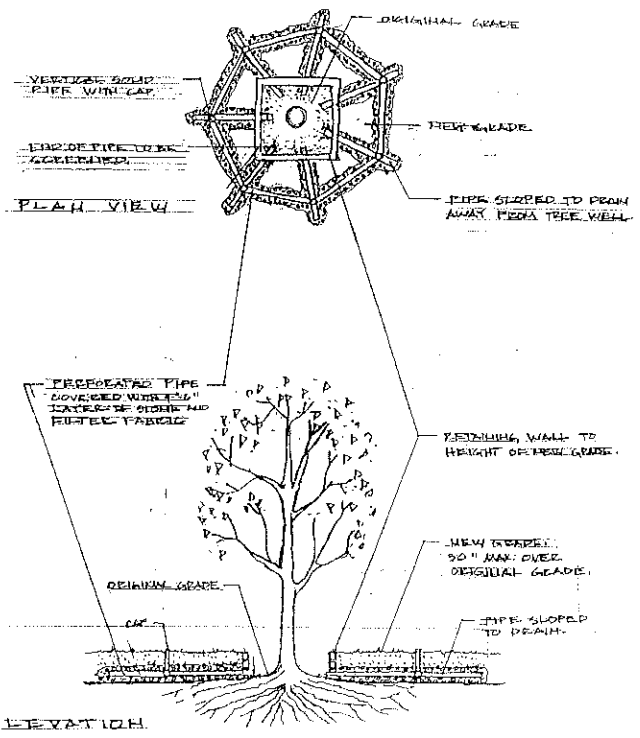


A. NOT ACCEPTABLE
B. ACCEPTABLE

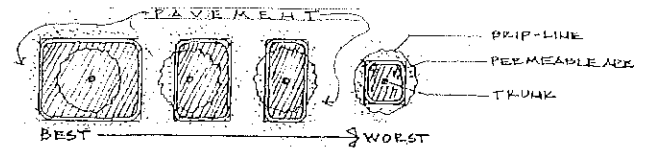
PLACING METHODS FOR UTILITY LINES.
A. THIS TYPE OF TRUNKING LINE WILL PRESERVE THE IMPORTANT FEEDER ROOTS.
B. TRUNKING UNDER THE TREE WILL PRESERVE THE IMPORTANT FEEDER ROOTS.



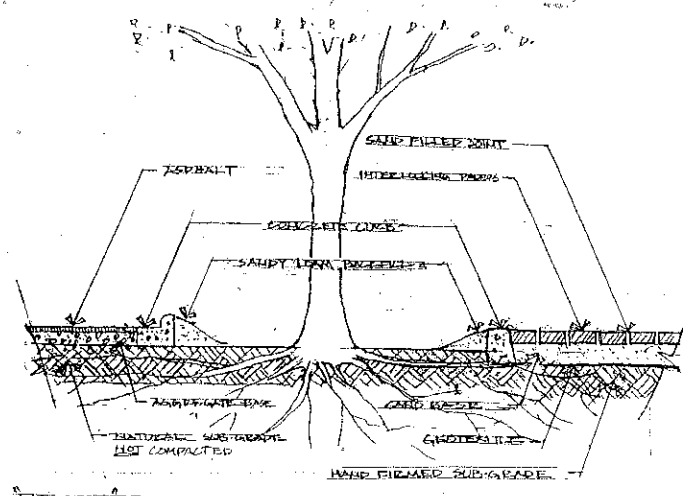
EXCAVATION WITHIN DRIPLINE.
ILLUSTRATIONS FOR 9.2.4D



TREE PROTECTION FROM FILL

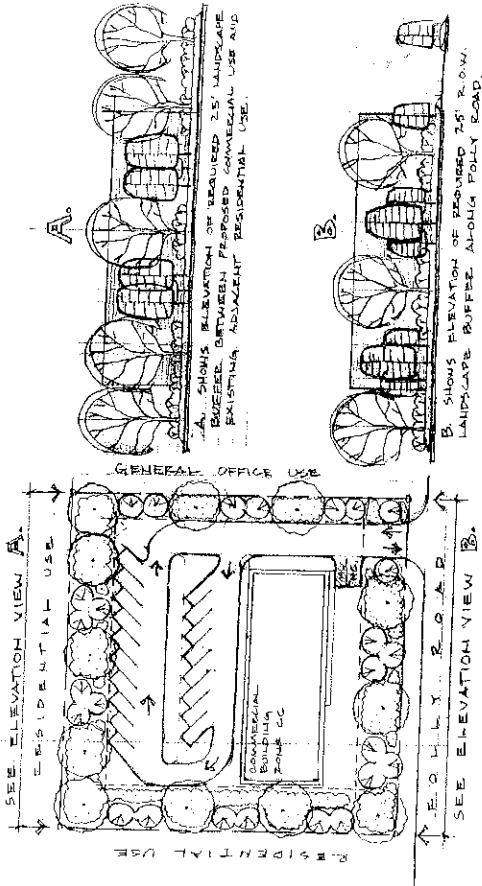


THE MORE PERMEABLE SURFACE OUTSIDE THE DRIPLINE, THE LESS IMPACT THERE IS TO THE TREE.



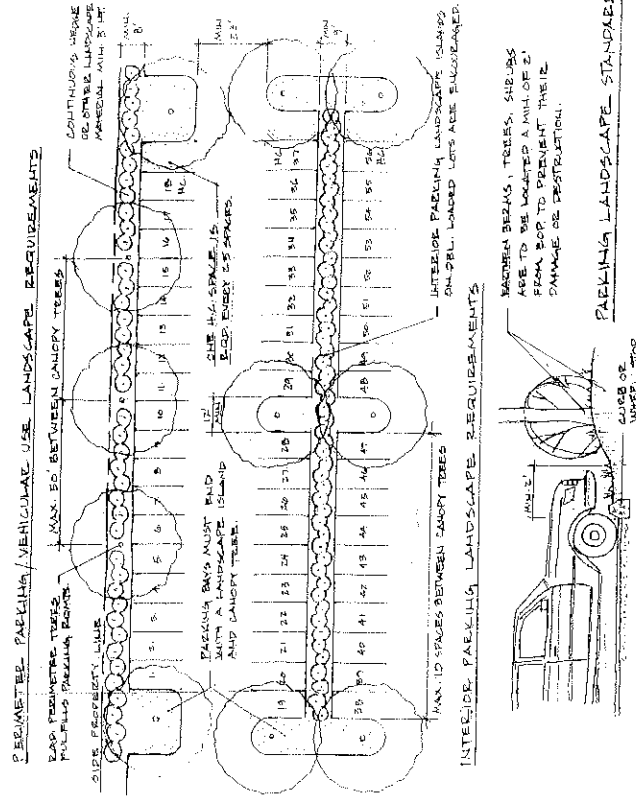
EXISTING PAVEMENT EXISTING
BLOCK OR INTERLOCKING PAVES FOR PERVIOUS PAVING.

PAVEMENT METHODS UNDER DRIPLINE



NOTES:
 1. THIS EXAMPLE SHOWS THE REQUIRED PARKING BAYS TO BE BEHIND BUILDING WHEN THERE ARE TO BE MORE SPACES.
 2. DIFFERENT ADJACENT USE REQUIRE DIFFERENT SIZE LANDSCAPE BUFFERS. PARKING BAYS LOCATED TO 100', SEE THE LAND USE BUFFER TO 100', SEE THE STANDARDS FOR BUFFERING SMITH AND PLANT MATERIAL REQUIREMENTS.

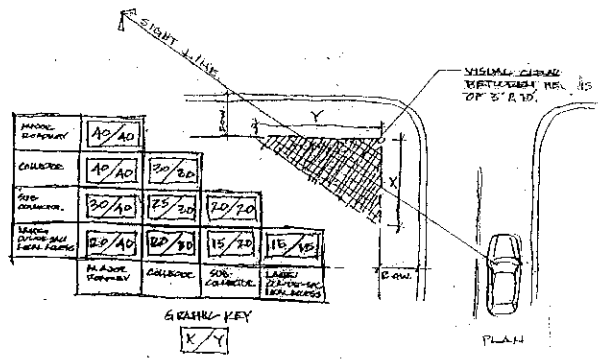
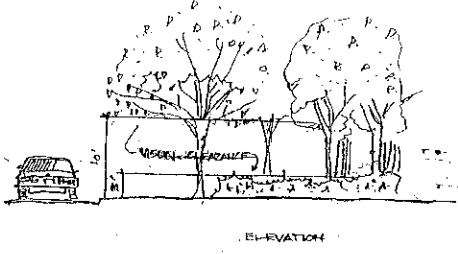
LANDSCAPE BUFFERS



CHAPTER 10 | NONCONFORMITIES

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GRADING KEY

MAJOR CORNER	AC/AO			
CHALLENGE	AO/AO	BO/BO		
NO CHALLENGE	BO/AO	BO/BO	CO/CO	
MAJOR CORNER	BO/AO	BO/BO	CO/CO	DO/DO

NOTE: SHT. TRIANGLES ARE SUBJECT TO SCMT APPROVAL AND MAY NEED ADJUSTMENTS FOR ROAD HORIZONTAL AND VERTICAL CURVATURE.

SIGHT TRIANGLE STANDARDS

ART. 10.1 GENERAL

§10.1.1 PURPOSE

It is the general policy of the county to allow uses, structures, lots, signs and other situations that came into existence legally—in conformance with then-applicable requirements—to continue to exist and be put to productive use, but to bring as many aspects of such situations into compliance with existing regulations as is reasonably possible. This chapter establishes regulations governing uses, structures, lots and signs that were lawfully established but that do not comply with 1 or more existing requirements of this Ordinance. The regulations of this chapter are intended to:

- A. recognize the interests of property owners in continuing to use their property;
- B. promote reuse and rehabilitation of existing buildings; and
- C. place reasonable limits on the expansion of nonconformities that have the potential to adversely affect surrounding properties and the county as a whole.

§10.1.2 AUTHORITY TO CONTINUE

Any nonconformity that legally existed on April 21, 1999 or that becomes nonconforming upon the adoption of any amendment to this Ordinance may be continued in accordance with the provisions of this chapter.

§10.1.3 DETERMINATION OF NONCONFORMITY STATUS

The burden of establishing that a nonconformity is a legal nonconformity shall, in all cases be solely upon the owner of such nonconformity.

§10.1.4 REPAIRS AND MAINTENANCE

Incidental repairs and normal maintenance of nonconformities shall be permitted unless such repairs are otherwise expressly prohibited by this Ordinance. Nothing in this chapter shall be construed to prevent structures from being structurally strengthened or restored to a safe condition, in accordance with an official order of the Director of Building Services or their designee.

§10.1.5 CHANGE OF TENANCY OR OWNERSHIP

The status of a nonconformity is not affected by changes of tenancy, ownership, or management.

§10.1.6 NONCONFORMITIES CREATED BY PUBLIC ACTION

When lot area or setbacks are reduced as a result of conveyance to a federal, state or local government for a public purpose and the remaining area is at least 50 percent of the otherwise applicable minimum standard, then that lot shall be deemed to be in compliance with the minimum lot area and setback standards of this Ordinance.

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ART. 10.2 NONCONFORMING USES

§10.2.1 DEFINITION

A "Nonconforming Use" is a use that was legally established but which is no longer allowed by the use regulations of the zoning district in which it is located.

Chapter 10 Nonconformities

§10.2.2 EXPANSION

A nonconforming commercial or industrial use shall not be enlarged or expanded unless 1 of the following conditions exists:

- A. such expansion eliminates or reduces the nonconforming aspects of the situation; or
- B. the expansion is into a part of the building or structure that was lawfully and manifestly designed or arranged for such use, provided that no such expansion shall be allowed if it displaces a conforming use.

§10.2.3 CHANGE OF USE

- A. A nonconforming use may not be changed to any use other than a use allowed in the zoning district in which it is located, provided that the Board of Zoning Appeals shall be authorized to approve a change to another nonconforming use in accordance with the Special Exception procedures of this Ordinance. In acting upon such requests, the Board of Zoning Appeals shall not be guided by the Special Exception approval criteria of this Ordinance, but rather shall approve the change of use only upon a finding that the new use will be less detrimental to adjacent property and general area than the existing nonconforming use.
- B. When a conforming use becomes nonconforming as a result of a Zoning Map Amendment initiated by the applicant, the nonconforming use shall then be removed prior to the issuance of a Certificate of Occupancy for the conforming use.

§10.2.4 LOSS OF LEGAL NONCONFORMITY STATUS

A. ABANDONMENT

If a nonconforming use is replaced with another use or is discontinued for any reason for a period of more than 12 consecutive months or 18 months in cumulative total within any 3-year period, the use shall be considered abandoned. Once abandoned, the use's legal nonconforming status shall be lost and re-establishment of a nonconforming use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the zoning district in which it is located.

B. DAMAGE OR DESTRUCTION

- 1. No nonconforming commercial or industrial use that is damaged by fire or any other cause shall be restored if the cost of the repair work equals 50 percent or more of the use's total physical replacement cost (which shall consist solely of labor and materials). Determination of physical replacement costs shall be made by the Director of Building Services. When such repairs are allowed to be made, they shall be in full compliance with the regulations of this Ordinance.
- 2. A nonconforming residential use that is damaged by fire or any other cause may be restored. In such cases, the use may be re-established to the extent that existed before the time of damage (within the pre-existing structure boundaries [footprint and height]), provided that the repairs or rebuilding do not increase the degree of nonconformity and provided that

Chapter 10 Nonconformities

such repairs, restoration or reconstruction begin within 12 months of the date of such damage.

§10.2.5 ACCESSORY USES AND STRUCTURES

No use or structure that is accessory to a principal nonconforming use or structure shall continue after such principal use or structure shall have ceased or terminated, unless it complies with all regulations of this Ordinance.

ART. 10.3 NONCONFORMING STRUCTURES

§10.3.1 DEFINITION

A "Nonconforming Structure" is any building or structure that was legally established but which no longer complies with the Density, Intensity and Dimensional Standards of the underlying zoning district.

§10.3.2 USE

A nonconforming structure may be used for any use allowed in the underlying zoning district.

§10.3.3 EXPANSION

A nonconforming residential structure may be enlarged or expanded if such residential expansion follows the outside wall at ground level, other than porches, decks or canopies.

§10.3.4 MOVING

A nonconforming structure may be moved in whole or in part to another location if the movement or relocation does not increase the extent of nonconformity.

§10.3.5 SUBDIVISION

If a lot is occupied by a nonconforming structure, it may be subdivided provided that subdividing does not create a new nonconformity or increase the degree of nonconformance of the structure.

§10.3.6 LOSS OF LEGAL NONCONFORMING STATUS; DAMAGE OR DESTRUCTION

- A. No nonconforming commercial or industrial structure that is damaged by fire or any other cause shall be restored if the cost of the repair work equals 50 percent or more of the structure's total physical replacement cost. Determination of physical replacement costs shall be made by the Director of Building Services. When such repairs are allowed to be made, they shall be in full compliance with the regulations of this Ordinance.
- B. A nonconforming residential structure that is damaged by fire or any other cause may be restored. In such cases, the structure may be re-established to the extent that existed before the time of damage (within the pre-existing structure boundaries [footprint and height]), provided that the repairs or rebuilding do not increase the degree of nonconformity and provided that such repairs, restoration or reconstruction begin within 12 months of the date of such damage.
- C. Nothing in this section shall conflict with the requirements of the Federal Emergency Management Agency's Flood Plain Management Regulations.

ART. 10.4 NONCONFORMING LOTS

§10.4.1 DEFINITION

A "Nonconforming Lot" is a tract of land, designated on a duly recorded subdivision plat, or by a duly recorded deed, or by other lawful means, that complied with the lot area, lot width and lot depth standards of the zoning district in which it was located at the time of its creation, but which does not comply with the minimum lot area, lot width or lot depth requirements of the zoning district in which it is now located.

§10.4.2 VACANT LOTS

If a nonconforming lot or parcel was vacant on the date on which this Ordinance became applicable to it, then the owner may use the property for uses allowed by the underlying zoning district, provided that the use shall comply with applicable setback to the maximum extent possible. If the underlying zoning district permits a variety of uses or a variety of intensities of uses and 1 or more uses or intensities would comply with setback standards, while others would not, then only the uses or intensities that would comply with the applicable setback standards shall be permitted.

§10.4.3 LOT WITH BUILDING OR STRUCTURE

If a nonconforming lot or parcel contains a building or structure on the date on which this Ordinance became applicable to it, then the owner may continue the use of that building or structure and may reasonably expand the structure in any way that does not increase the degree of nonconformity; an increase in building size shall not be deemed to increase the degree of nonconformity unless it increases the encroachment on a required setback.

ART. 10.5 NONCONFORMING SIGNS

§10.5.1 DEFINITION

A "Nonconforming Sign" is any sign that was legally established but which no longer complies with the Sign Regulations contained in Chapter 9 of this Ordinance.

§10.5.2 ON-PREMISES SIGNS

All legal nonconforming permanent on-premises signs in place prior to April 21, 1999 shall be removed or replaced by April 20, 2001. All other on-premises signs not in conformance with the standards of this Ordinance shall be removed or otherwise brought into compliance with the standards of this Ordinance.

§10.5.3 OFF-PREMISES SIGNS

- A. All legally existing nonconforming Off-Premises signs shall be removed, altered or otherwise made to conform to the provisions of this ordinance.
- B. All other Off-premises signs shall be removed, altered, or brought into compliance with the provisions of this Ordinance.

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- ART. 11.1 ORDINANCE COMPLIANCE REQUIRED 11-1
- ART. 11.2 VIOLATIONS 11-1
- ART. 11.3 ENFORCEMENT RESPONSIBILITY, COMPLAINTS 11-2
- ART. 11.4 REMEDIES AND ENFORCEMENT POWERS 11-2
- ART. 11.5 PRIVATE ENFORCEMENT ACTIONS 11-3
- ART. 11.6 TREE PROTECTION VIOLATIONS 11-3
- ART. 11.7 SIGN VIOLATIONS 11-4
- ART. 11.8 VIOLATIONS CONTINUED 11-5
- ART. 11.9 OTHER ENFORCEMENT ACTIONS 11-5

CHAPTER 11 | VIOLATIONS, PENALTIES AND ENFORCEMENT

ART. 11.1 ORDINANCE COMPLIANCE REQUIRED

- A. No activity regulated by this Ordinance shall be undertaken except in full compliance with the express provisions of this Ordinance.
- B. No activity that is the subject of any permit or approval issued pursuant to the provisions of this Ordinance shall be undertaken except in full compliance with the subject permit or approval, including any attached conditions.
- C. The commencement or continuation of any activity regulated by this Ordinance that is not in compliance with the express provisions of this Ordinance, or that is not in compliance with the express provisions of any permit or approval, including any attached conditions, shall be a violation of this Ordinance, and subject to enforcement under the terms of this chapter and South Carolina law.

ART. 11.2 VIOLATIONS

All of the following constitute violations of this Ordinance:

- A. to use or attempt to use land or a building in any way not consistent with the requirements of this Ordinance;
- B. to erect or attempt to erect a building or other structure in any way not consistent with the requirements of this Ordinance;
- C. to engage or attempt to engage in the development or subdivision of land in any way not consistent with the requirements of this Ordinance;
- D. to transfer title to any lots or parts of a development unless the subdivision has received all approvals required under this Ordinance and an approved plan or plat, if required, has been filed in the appropriate County office;
- E. to submit for recording with a County office any subdivision plat that has not been approved in accordance with the requirements of this Ordinance;
- F. to install or use a sign in any way not consistent with the requirements of this Ordinance;
- G. to engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring 1 or more approvals or permits under this Ordinance without obtaining all such required approvals or permits
- H. to engage in the use of a building or land, the use or installation of a sign, the subdivision or development of land or any other activity requiring 1 or more approvals or permits under this Ordinance in any way inconsistent with any such approval or permit and any conditions imposed;

- I. to violate the terms of any approval or permit granted under this Ordinance or any condition imposed on such approval or permit;
- J. to obscure or obstruct any notice required to be posted or otherwise given under this Ordinance;
- K. to violate any lawful order issued by any person or entity under this Ordinance; or
- L. to continue any violation as defined above, with each day of continued violation to be considered a separate violation for purposes of computing cumulative civil or criminal penalties.

ART. 11.3 ENFORCEMENT RESPONSIBILITY, COMPLAINTS

§11.3.1 RESPONSIBILITY
The responsibility for the enforcement of this Ordinance is delegated to the Planning Director. The Planning Director may utilize other County Department/Agencies as necessary to enforce the provisions of this Ordinance.

§11.3.2 NOTICE
If the Planning Director finds that any of the provisions of this Ordinance are being or have been violated, the Planning Director shall notify in writing the person responsible for such violation, setting forth the nature of the violation and the action necessary to correct it.

- §11.3.3 COMPLAINTS**
- A. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a signed written complaint with the County. Such complaint shall state fully the causes and basis thereof.
 - B. The Planning Director shall properly record such complaint, immediately investigate to determine the validity of the charge, and take whatever action is necessary to assure compliance with this Ordinance.

§11.3.4 AUTHORITY
Any staff member of Planning Department, who is authorized by County Council, shall have the authority to enforce the provisions of this Ordinance.

ART. 11.4 REMEDIES AND ENFORCEMENT POWERS

On behalf of the County, the Planning Director may take any one or more of the following actions as a remedy for any violation of this Ordinance:

- A. withholding any approvals or permits required by this Ordinance or direct other officials to withhold such approval or permits;
- B. issuing stop orders against any work undertaken by an entity not having a proper approval or permit required by this Ordinance;
- C. issuing stop orders against any actions in violation of this Ordinance;

- 2. Where Grand Tree removal is necessitated by emergencies as defined in Chapter 9 of this Ordinance, or death and disease of trees due to natural causes, as determined by the Planning Director, replacement will not be required.

§11.6.2 RECOVERY FROM TREE VIOLATIONS

- A. Any person, firm, organization, society, association, corporation, or any agent or representative thereof who commits, participates, or assists in a violation of the Tree Protection and Preservation standards of this Ordinance may each be found guilty of a separate offense and suffer the penalties herein provided. Each unauthorized removal, destruction or failure to replace a tree shall constitute a separate offense. Failure to pay all or any part of the Tree Fund mitigation fee within 30 days of the fee's imposition is a violation of the Tree Fund provision of this Ordinance. Failure to pay fees may result in a collection action in the same manner as prescribed by law for the collection of other fees. Failure to pay the mitigation fee may also result in a criminal proceeding. If a matter is brought in criminal court, upon conviction, the maximum penalty is \$500 per violation and/or 30 days imprisonment, and restitution of the Tree Fund mitigation fee. Restitution shall be paid to the County Treasurer who will place all funds in the Tree Fund Account.
- B. Should violations be noted during the course of a project or at final inspection, the Planning Director shall take appropriate actions, including, but not limited to the following:
 - 1. requiring replacement of illegally removed trees and vegetative buffer;
 - 2. requiring replacement of required trees and vegetative buffer that are damaged, diseased, dying, or dead;
 - 3. requiring protection of trees and vegetative buffer during construction;
 - 4. revoking Zoning Permits; and
 - 5. denying Certificates of Occupancy.
- C. Nothing herein shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violations.

ART. 11.7 SIGN VIOLATIONS

§11.7.1 SIGNS SUBJECT TO IMPOUNDMENT
In addition to other remedies and enforcement powers of this chapter, the Planning Director shall have the authority to remove and hold any of the following types of signs or sign structures.

- A. Any prohibited sign is subject to impoundment without notice to the owner.
- B. Any sign that is installed or used in any way that is not consistent with the requirements of this Ordinance, provided that notice has been given as set forth in Section 11.3.2 and no action has been taken by the owner within the specified time frame.

- D. bringing an action for an injunction (or, in appropriate cases, for mandamus) to prevent the violation and/or to prevent the occupancy or use of any site or structure involved in the violation;
- E. bringing an action for injunction or mandamus to abate a violation; or
- F. issuing and personally serving on the violator an ordinance summons for violations observed first-hand.

A violation of this Ordinance is considered a misdemeanor.

ART. 11.5 PRIVATE ENFORCEMENT ACTIONS

Any individual who is specifically damaged by any violation may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy of the building, structure or land. This is in addition to the right of the County to bring an enforcement action.

ART. 11.6 TREE PROTECTION AND PRESERVATION VIOLATIONS

In addition to the provisions of Art. 11.4 of this Chapter, the following shall apply.

§11.6.1 TREES REMOVED WITHOUT PERMITS

- A. **GENERALLY**
If commercial sites are cleared of protected trees prior to obtaining a zoning permit (a violation), trees shall be replaced in accordance with a replacement schedule approved by the Planning Director. The Planning Director's replacement schedule shall specify the number, species, caliper and location of replacement trees, according to the following minimum criteria:
 - 1. combined caliper of which equals or exceeds 80 inches per acre, and
 - 2. one-half of individual replacement trees are 4 inches or greater caliper.
- B. **GRAND TREES**
 - 1. Where Grand Trees have been removed in violation of this Ordinance or where removal is necessitated at any time due to acts of negligence, trees shall be replaced in accordance with a replacement schedule approved by the Planning Director. The replacement schedule shall establish the number, species, caliper, and location of replacement trees, and at a minimum shall require:
 - a. that the combined caliper of replacement trees is equal to or greater than 3 times the caliper of the grand tree removed; and
 - b. individual replacement of trees are of the largest transplantable caliper available or equal to the loss of DBH inches.

§11.7.2 RECOVERY OF IMPOUNDED SIGNS
The owner of an impounded sign or sign structure may recover same upon the payment of \$50.00 for each sign. In the event it is not claimed within 10 days from the date of impoundment, the Planning Director shall have authority to dispose of such sign or sign structure without notification and without compensation to the owner.

ART. 11.8 VIOLATIONS CONTINUED

Any violation of the previous Zoning Ordinance or Subdivision Ordinance will continue to be a violation under this Ordinance and be subject to penalties and enforcement under this chapter, unless the use, development, construction, or other activity complies with all applicable provisions of this Ordinance, in which case enforcement action shall cease, except to the extent of collecting penalties for violations that occurred before April 21, 1999. Any prior lack of enforcement shall not constitute any degree of recognition, approval or other entitlement.

ART. 11.9 OTHER ENFORCEMENT ACTIONS

§11.9.1 ZONING MAP AMENDMENT REQUESTS
Zoning Map Amendment applications shall not be accepted or processed when it is evident that a violation of this Ordinance exists on or in the use of land that is the subject of the requested change. The County Council may, however, after consideration of the specific case, waive this requirement and direct staff in writing to process the application, violation notwithstanding. All documents and fees required for a zoning change application shall be included with the application. Denial of the re-zoning application shall be final, and the violation shall be removed before further consideration of a change in zoning.

§11.9.2 CONTEMPT BEFORE THE BOARD OF ZONING APPEALS
In case of contempt by any party, witness or other person before the Board of Zoning Appeals, such Board may certify such fact to the Circuit Court of the County wherein such contempt occurs and the judge of the court, after hearing, may impose such penalty as the facts authorize or require.

§11.9.3 OTHER ACTIONS
Nothing herein shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

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ART. 12.1 TERMS AND USES DEFINED 12-1
 ART. 12.2 INTERPRETATION 12-22

ART. 12.1 TERMS AND USES DEFINED

TERM	DEFINITION
Abandoned Sign	See "Sign, Abandoned" for definition.
Accessory	A use, structure, or part of a structure customarily incidental and subordinate to the principal use of a zoning lot or of a structure. An accessory use is located on the same zoning lot as the principal use, except in the cases of off-street parking, temporary manufactured housing parks, temporary real estate sales office and temporary construction facilities.
Accessory Dwelling Unit	A dwelling unit, with no more than 800 square feet of gross floor area in all residential Zoning Districts, except that in the AG-8, AG-10, AG-15 and AG-25 Zoning Districts the maximum gross square footage of floor area is no more than 1,200 square feet, that has been added to, onto, or created within a single family house. This definition includes garage apartments.
Addition	A structure added to the original structure at some time after the completion of the original, or an extension, alteration, or increase in floor area or height of a building or structure.
Administrative and Business Office	The use of a building or a portion of a building for the provision of executive, management, or administrative services.
Administrative Decision	Any order, requirement, decision, or determination by the Charleston County Planning Director or their designee relating to the administration or enforcement of the Charleston County Zoning and Land Development Regulations.
Adult Oriented Business	Definitions provided in Section 6.4.18.C.
Adult Day Care Facility	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) for adults 18 years of age or older, which offers in a group setting a program of individual and group activities and therapies. The program is directed toward providing community-based day care services for those adults in need of a supportive setting. The program shall provide a minimum of four and a maximum of 14 hours of operation a day. (See S.C. DHEC Regulation 61-79, Standards for Licensing Day Care Facilities for Adults)
Agriculture	The use of the land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory uses of packing, treating, or storing of produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the principal agriculture use.
Agricultural Processing	The preliminary processing and packaging of agricultural products, such as a packing shed. Agricultural processing shall not include slaughter houses, butcheries, tanneries or rendering plants.
Agricultural Sales and Service	An establishment engaged in the retail or wholesale sale from the premises of feed, grain, fertilizers, pesticides and similar goods.
Alley	A minor vehicular way used primarily for access to the side or rear of properties.
Alteration, Structural	Any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders, or in the dimensional or configurations of the roof or exterior walls. Structural alterations shall not include the application of exterior siding to an existing building for the purpose of beautifying and modernizing.
Ambient Air Quality Standard	An acceptable concentration of an air pollutant in a community.
Animal	Any live or dead dog, cat, nonhuman primate, guinea pig, hamster, rabbit, or any other warm blooded animal, which is being used, or is intended for use for research, teaching, testing, experimentation, or exhibition purposes, or as a pet. This term excludes: birds, rats of genus Rattus and mice of the genus Mus bred for use in research, and horses not used for research purposes and other farm animals, such as, but not limited to, livestock or poultry, used or intended for use as food or fiber, or livestock or poultry used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. With respect to a dog, the term means all dogs, including those used for hunting, security, or breeding purposes.

Chapter 12

Definitions

TERM	DEFINITION
Animal Aquaculture	Land devoted to the hatching, raising, and breeding of fish, shrimp or other aquatic animals for commercial purposes. Animal aquaculture shall include those accessory uses and activities customarily associated with this type of operation, as determined by the Planning Director.
Animal, Exotic	Any animal not identified in the definition of "animal" that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelopes, kangaroos, water buffalo, and species of foreign domestic cattle, such as Ankole, Goyal, and Yak.
Animal Production	The raising of animals on pasture land or production of animal products on an agricultural or commercial basis. Animal Production shall include those accessory uses and activities customarily associated with this type of operation, as determined by the Planning Director. Animal Production shall not include concentrated animal feeding operations, slaughter houses or butcheries.
Animated Sign	See "Sign, Animated" for definition.
Application, Complete	An application for development review and approval that: (1) has been submitted in the required format; (2) includes all information required by this Ordinance to be submitted for the subject application type; and (3) is accompanied by the required fee.
Arborist, Certified	A person certified by the International Society of Arboriculture.
Arterial Street	See "Street, Arterial" for definition.
Attached Single Family (Dwelling Unit)	See "Single Family, Attached" for definition.
Aviation	Airports, landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security. Aviation also includes facilities for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express between modes of transportation.
Banner	A strip of cloth containing a message or advertisement.
Bar (or Lounge)	A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, where 25 percent or more of the gross receipts are for sale of alcohol. This use includes taverns, cocktail lounges, and any member exclusive bars or lounges.
Barn	A farm building used for storing farm products or sheltering livestock. This term excludes any residential use or non-agricultural use.
Base Course	A layer or layers of specified or selected material of designated thickness or rate of application placed on a subbase or subgrade to comprise a component of the pavement structure to support the pavement or subsequent layer of construction.
Bed and Breakfast	A portion of an owner-occupied dwelling unit or detached accessory structure offering transient lodging, with or without breakfast, to paying guests on an overnight basis, usually staying less than seven days.
Berm	A man-made landscape feature generally consisting of a linear mound of soil. Temporary soil stockpiles and retaining walls shall not be considered a berm.
Boarding House	See "Rooming House" for definition.
Boat Slips	A docking space alongside a pier, wharf or mooring dolphins in which a waterborne boat may be moored. For purposes of this Ordinance and in the absence of an authorized quantity of boat slips by state or federal regulating agencies, a boat slip shall be considered a minimum length of 25 feet for side mooring and 15 feet for stern moorings.
Boat Yard	A land-based operation primarily for the repair and service of boats, including any incidental storage of boats in the process of being repaired. This term does not include boat building. If dry stack storage for watercraft or any type of water access is provided, the facility would be considered a Water-Dependent Use (Art. 6.3).
Botanical Garden	A place, generally open to the public for a fee, where a wide variety of plants are cultivated for scientific, educational, or ornamental purposes.
Bridge	A structure, including supports, erected over a depression or an obstruction, as water, highway, or railway, and having a track or passageway for carrying traffic or other moving loads.

Chapter 12

Definitions

TERM	DEFINITION
Buffer, Landscape	A vegetated area of varying width (ranging from 5 to 100 feet) designed exclusively to provide screening between adjoining properties, rights-of-ways, parking lots and structures, as described throughout Article 9.5.
Buffer, Wetland	An area of varying width (ranging from 15 to 30 feet), providing a visual, spatial, and ecological transition zone between the OCRM Critical Line and land development, as described in Article 9.7. The wetland buffer is designed to protect water quality and wildlife habitat.
Building	Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, plant, process, equipment, goods, or materials of any kind, when a portion thereof is completely separated from every other portion by a dividing wall (or firewall when applicable) without openings, then each such portion shall be deemed to be a separate building.
Building Code	The building code of Charleston County.
Building Cover	The proportion, expressed as a percentage, of the area of a Zoning lot covered by all buildings located thereon, including the area covered by all overhanging roofs.
Building Height	The vertical distance between the base flood elevation, or ground level if the structure is not in a Flood Hazard area as defined by the Federal Emergency Management Agency (FEMA), and: 1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; or 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof.
Building Permit	An official document or certificate issued under the Charleston County Building Code for any carpentry, masonry, roofing, or related construction or repair. A building permit is not required for construction under 1,000 dollars, unless the construction or repair involves a structural modification or work done by a contractor.
Building, Principal	A building in which is conducted the principal use of the zoning lot on which it is situated. In a Residential District, any dwelling shall be deemed to be a principal building.
Business (or Trade) School	A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college, or university.
Canopy Tree	A tree, with a diameter of at least 2 1/2 inches (as measured 6 inches above grade) at the time of planting, which will grow to a minimum height of 50 feet at maturity.
Caretaker	An individual or family who resides on premises as an accessory use for the purpose of maintaining, protecting, or operating a permitted principal use on the premises.
Catering Service	An establishment that prepares and provides food and related services to off-premise locations.
Causeway	An earthen structure with at least one side adjacent to a depression, wetland, or marsh that supports a road for carrying traffic or other moving loads.
Cemetery	Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
Center Line of Street	The line surveyed and monumented as the center line of the street, or if such center line has not been surveyed, it shall be the line running midway between the curbs or ditches of such street.
Certificate of Nonconformity	A certificate issued by the Charleston County Planning Department to any sexually oriented business which is operating at the time of the enactment of the regulations of Article 6.4.18 and is not in compliance with 1 or more of its provisions.
Child Day Care Facility	A facility or dwelling unit that regularly (more than twice a week, for more than four hours, but less than 24 hours) provides child day care for seven or more children. This definition includes "Child Care Centers" and "Group Day Care Homes," which are licensed by the South Carolina Department of Social Services (DSS).
Child Care Institution	A facility licensed by the South Carolina Department of Social Services (DSS) with one or more staffed residences and with a total population of 20 or more children who are in care apart from their parents, relatives, or guardians on a continuing full-time basis for protection and guidance.

TERM	DEFINITION
Churches and other Places of Worship	Same as definition for "Religious Assembly."
Charter Boat (or other Recreational Watercraft) Rental	A land-based operation primarily for the rental or leasing of boats or other recreational watercraft. Any operation that is associated with a marina or provides direct water access shall be considered a Water-Dependent Use (Art. 5.3).
Civic Organization	See "Social Organization" for definition.
Collector Street	See "Street, Collector" for definition.
College or University Facility	An educational institution that offers courses of general or specialized study leading to a degree.
Commercial Nursery Operations	See "Horticultural Production" for definition.
Commercial Repair Service	See "Repair Service, Commercial" for definition.
Commercial Timber Operations	Tracts of 5 acres or more devoted to the production of marketable forest products through generally accepted silvicultural practices including, but not limited to, harvesting, site preparation and regeneration.
Common Open Space	Open space, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of the development. Common open space shall be substantially free of structures, but may contain such improvements as are approved as a part of the development plan for such district and are appropriate for the residents of the district.
Communication Service	An establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, but excludes those classified as major utility facilities.
Communications Tower	A tower of any size that supports communication equipment, transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users. This does not include communication towers for amateur radio operators licensed by the federal Communications Commission which are exempt from local zoning restrictions or communications towers under 100 feet in height used solely for educational communications purposes.
Community Health Care Center	See "Public Health Care Center" for definition.
Community Recreation	A recreational facility that is the principal use of a parcel of land and that is for use by residents and guests of the following: a particular residential development, Planned Development, church, private primary or secondary educational facility, community affiliated non-profit organization. Community Recreation can include both indoor and outdoor facilities.
Community Recreation Center	A public or quasi-public building designed for and used as a social, recreation, and cultural center. As a part of such recreation centers, there may be included craft rooms, music rooms, game rooms, meeting rooms, auditoriums, swimming pools, and kitchen facilities. Kitchen facilities and dining areas shall be used for special events only.
Community Residential Care Facility	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC), which offers room and board and provides a degree of personal assistance for a period of time in excess of 24 consecutive hours for 10 or more persons, 18 years old or older, unrelated to the operator. Included in this definition is any facility (other than a hospital), which offers a beneficial or protected environment specifically for the mentally ill, drug addicted or alcoholic, or provides or purports to provide any specific procedure or process for the cure or improvement of that disease or condition. A Community Residential Care Facility with 9 or fewer residents shall be considered a "family." (See S.C. DHEC Standard for Licensing, Regulation 01-84, Community Residential Care Facility.)
Community Roads	Roads that serve one or more families and usually have no dedicated rights-of-way or drainage. These roads generally have a dirt surface, are not maintained on a regular basis, and are not in the state or county road system.
Complete Application	See "Application, Complete" for definition.

TERM	DEFINITION
Concentrated Animal Feeding Operation	A confined area or facility within which the property is not grazed or cropped annually, and which is used and maintained for the purposes of engaging in the business of the reception and feeding of more than 50 beef or dairy cattle; more than 50 horses; more than 150 hogs, sheep or goats; more than 1,000 or more birds, such as turkeys, chickens, ducks or geese; or more than 1,000 small animals, such as guinea pigs, rabbits, and minks. This term shall also include commercial feed lots.
Conditional Use Permit	A permit formally issued by the Charleston County Planning Department authorizing a particular use in a specified location within a zoning district, upon demonstrating that such use complies with all the conditions and standards specified by the zoning Ordinance. Conditional use permit is a term used in the Charleston County Zoning Ordinance prior to April 21, 1999.
Congregate Living	A residential facility providing 24-hour supervision and assisted living for no more than 15 elderly residents (age 60 or older), not needing regular medical attention.
Construction Permit	A series of permits required by Charleston County building services that may include building, electrical, plumbing, HVAC (Heating, Ventilating and Air Conditioning), or gas permits.
Consumer Convenience Service	An establishment providing services, primarily to individuals, of a frequent or recurrent nature.
Consumer Goods Rental Service	An establishment with 5000 square feet or less of gross floor area, primarily engaged in the rental or leasing of new or used products in the general public, excluding vehicle or watercraft rentals.
Consumer Goods Rental Center	An establishment with greater than 5000 square feet of gross floor area, primarily engaged in the rental or leasing of new or used products to the general public, excluding vehicle or watercraft rentals.
Consumer Repair Service	See "Repair Service, Consumer" for definition.
Consumer Vehicle Repair	See "Vehicle Repair, Consumer" for definition.
Convalescent Service	A use providing bed care and in-patient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services. This term excludes facilities providing care for alcoholism, drug addiction, mental disease, or communicable disease. Typical uses include nursing homes.
Convenience Store	Establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, newspapers, and limited household supplies, to customers who generally purchase only a few items. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles.
Convention Center	A formal meeting place where the building or rooms are rented or leased to the members, representatives, or delegates of a particular group. These centers can usually accommodate large groups.
Corner Lot	See "Lot, Corner" for definition.
Correctional Institution	A facility providing judicially required detention or incarceration of people.
Country Club	Land area and buildings containing golf courses, recreational facilities, a clubhouse, and other customary accessory uses, open only to members and their guests.
Courtyard	An open unoccupied space, other than a yard, on the same zoning lot with a building, unobstructed from floor or ground level to the sky.
Counseling Service	An establishment providing counseling, guidance, or similar services to persons requiring rehabilitative or vocational assistance. This term includes job training and placement services.
Crop Production	The raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis. Crop production shall include those accessory uses and activities customarily associated with these types of agricultural operations, as determined by the Planning Director. This definition excludes any agricultural uses that are more specifically defined in this Ordinance.
Cul-de-sac	The turnaround area at the end of a dead-end street, or an express.
Cultural Event	Land use of a temporary nature to display objects or events of a community and cultural interest in one or more of the arts and sciences, such as Civil War re-enactments.
Culvert	Any structure not classified as a bridge which provides an opening under any roadway, including pipe culverts, and any structure so named in the plans.

TERM	DEFINITION
Curb	A stone, concrete or other improved boundary marking the edge of a road or other paved area.
Data Processing Services	Establishments primarily involved in the compiling, storage, and maintenance of documents, records, and other types of information in digital form utilizing a main frame computer.
Decibel (Db)	A unit which describes the sound pressure level or intensity of sound. A sound level meter is calibrated in decibels.
Decision-Making Body	The entity that is authorized to finally approve or deny an application or permit as required under this Ordinance.
Dedication	The action of a property owner or developer to transfer an interest in property to the county or other service provider. The approval of a subdivision plat by county council is deemed to effect an acceptance by the county of a proposed dedication of a street, easement or other ground shown on the plat.
Density/Intensity and Dimensional Standards	Provisions of this Ordinance controlling the size and shape of zoning lots and the location and bulk of structures thereon. Such regulations include those relating to density, lot area, lot width, setbacks, buffers, building cover, height, and open space.
Design Professional	An individual or firm appropriately licensed and registered in the State of South Carolina.
Detached Single Family (Dwelling Unit)	See "Single Family, Detached" for definition.
Detention	The temporary holding back of stormwater and releasing it at a controlled rate.
Developer	The legal or beneficial owner of a lot or of any land proposed for development, or the holder of an option or contract to purchase, or any other person having an enforceable contractual interest in such land.
Development	The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.
Diameter Breast Height (Dbh)	The total diameter, in inches, of a tree trunk or trunks measured at a point 4 1/2 feet above existing grade (at the base of the tree). In measuring dbh, the circumference of the tree shall be measured with a standard diameter tape, and the circumference shall be divided by 3.14.
Dock	A structure extending into or upon a waterway, marshland or other natural water feature.
Double Frontage Lot	See "Lot, Double-Frontage" for definition.
Drainage Easement	See "Easement, Drainage" for definition.
Drip Line	An imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.
Dry Stack Storage for Watercraft	A facility for storing boats out of water. This is principally a land operation, where boats are dry stored or "stacked" until such time as they are transferred to the water for use. Any type of dry stack storage facility for watercraft will be considered a Water-Dependent Use (Art. 5.3).
Duplex	Two single-family dwelling units contained within a single building, other than a manufactured housing unit.
Dwelling (Dwelling Unit)	A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating and sanitation facilities.
Dwelling Group	Two or more principal structures, each a single dwelling unit (not including manufactured housing units), that are located on the same zoning lot. This definition does not refer to accessory dwellings units, such as garage apartments or guest houses.
Dwelling, Multi-family	A building containing three or more dwelling units, including residential condominiums and apartments.
Earth Roads	Those in which the traveled roadway is constructed of compacted earth material creating an earthen driving surface.
Easement	A privilege or right of use, access or enjoyment granted to, above, under or across a particular tract of land by the landowner to another person.

TERM	DEFINITION
Easement, Drainage	The right of access of stormwater runoff from the adjacent natural drainage basin into the drainage way within the drainage easement.
Educational Nursery	See "Pre-school" for definition.
Enlargement	An increase in the size of an existing structure or use, including physical size of the property, building, parking, or other improvements. Enlargement would also include the addition of other structures or uses on the lot.
Exotic Animal	See "Animal, Exotic" for definition.
Facade	The entire building wall, fascia, windows, doors, canopy and on any complete elevation.
Family	An individual or two or more persons related by blood or marriage living together; or a group of not more than five individuals, including live-in servants, not related by blood or marriage but living together as a single housekeeping unit. Residents of Community Residential Care Facilities licensed by the South Carolina Department of Health and Environmental Control (DHEC) for nine or fewer individuals shall be considered a family.
Family Day Care Home	An occupied residence in which child day care is provided on more than two days a week for periods of less than 24 hours, but more than four hours, for no more than six children, including those children living in the home and children received for day care who are related to the resident caregiver. Family day care homes are licensed by the South Carolina Department of Social Services (DSS). (See S.C. Code of Laws, 1976, as amended, Section 5 20-2-2700.)
Family, Immediate	The property owner's or property owner's spouse's, parents, children, grandparents, grandchildren, nieces, nephews, aunts or uncles.
Farm	A parcel of land five acres or more that is used for one or more of the following: the tilling of the land, the raising of crops, fruits, and vegetables, and the raising and keeping of animals and plants.
Farm Labor Housing, Dormitory	A structure designed or constructed as accommodations for transient farm workers for more than 10 unrelated persons, which is not designed as an apartment building with individual attached units.
Farm Labor Housing	A building or structure which is designed or constructed as a place of residence for up to 10 unrelated, transient farm workers living as a single housekeeping unit.
Fast Food Restaurant	See "Restaurant, Fast Food" for definition.
Fence (or Wall)	A structural device erected to serve as an architectural element, landscape element, visual screen or physical barrier.
Financial Guarantee	Surety intended to ensure that all improvements, facilities, or work required by this Ordinance will be completed, restored or maintained in compliance with this Ordinance. (See Article 8.14.)
Financial Service	An establishment primarily engaged in the provision of financial and banking services.
Flag	A piece of fabric or other flexible material, usually rectangular and of distinctive design which is used as a symbol, such as for a nation, state, locality, or corporation.
Flag Lot	See "Lot, Flag" for definition.
Flashing Sign	See "Sign, Flashing" for definition.
Floor Area	The sum of the gross horizontal areas of the several floors of the building, measured from the exterior face of the exterior walls or from the center lines of walls separating two buildings, computed as follows: (1) floor space devoted to the principal use of the premises, including accessory storage areas located within an selling or working space, such as counters, racks, or closets; (2) any basement tier or area devoted to the production or processing of goods or to business or professional offices. Floor area shall not include space devoted primarily to storage purposes (except as otherwise noted herein), off-street parking or loading facilities, including ramps, and maneuvering space, or basement floor area, other than area devoted to retailing activities, the production or processing of goods, or business or professional offices.
Floral	A commercial activity offering for sale cut flowers, ornamental plants, floral arrangements, real or artificial, and related accessories including cards, figurines, and indoor ornamental fixtures.

TERM	DEFINITION
Food Sales	An establishment primarily engaged in the retail sale of food for home consumption. These establishments may include the sale of beer and wine in unopened containers for off-premise consumption where the sale of products other than beer and wine comprise at least 51 percent of the gross sales of the establishment, and at least 51 percent of the total display or shelf space is devoted to products other than beer and wine.
Free-standing Sign	See "Sign, Free-standing" for definition.
Freight Forwarding Facility	A building or area in which freight brought by truck, air, or ship is assembled and/or stored for routing or reshipment. This facility does not include permanent or long-term accessory storage of goods, but may include storage areas for trucks and repair of trucks associated with the facility. This definition includes truck terminals, marine terminals, and packing and crating facilities.
Freshwater Wetlands	See "Wetlands, Freshwater" for definition.
Front Lot Line	See "Lot Line, Front" for definition.
Front Setback	See "Setback, Front" for definition.
Funeral Service	An establishment engaged in undertaking services such as preparing the human or animal dead for burial and arranging and managing funerals.
Garage (Private)	An accessory structure or space on a lot with a dwelling unit (developed in or designed for the storage of automobiles and small (½ ton capacity or less) trucks and not used for business purposes or occupancy.
Garage Apartment	A single dwelling unit located over a private detached garage and containing square footage no greater than that of the garage.
Garden Supplies Center	A commercial activity offering for sale indoor or outdoor plants, garden fixtures, packaged plant food, or pesticides, garden tools, manually or power operated with associated parts and accessories. Not included is farm equipment elsewhere provided for in this Ordinance.
Gasoline Service Station	Any premises used primarily for the retail sale of fuel for automobiles, light and medium trucks, motorcycles, recreational vehicles, and other consumer motor vehicles. Gasoline service stations may include light maintenance such as engine tuneups, lubrication, minor repairs, and carburetor cleaning, but shall not include heavy vehicle maintenance activities such as engine overhauls, automobile painting, and body fender work. This term may also include the sale of motor vehicle accessories, or used tires taken in trade on the premises, but does not include vehicle, moving truck, or trailer sales or rental.
General Contractor	An establishment that has the ability to furnish a variety of building materials and provide multiple construction services at a specified price.
Golf Course	A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards, and that may include a clubhouse and shelter.
Government Office	Federal, state, county or city offices, administrative, clerical or public contact services, together with incidental storage and maintenance of necessary vehicles.
Grade	For the purpose of determining building height: <ol style="list-style-type: none"> For buildings adjoining one street only, it is the elevation of the sidewalk directly opposite the center of that street which adjoins the street. In such case where the average elevation of the finished ground surface adjacent to the exterior walls of the building is lower than the elevation of the sidewalk grade, or where there is no sidewalk grade, or where there are no sidewalks, the grade shall be the average elevation of the ground on the lowest side adjacent to the exterior walls of the building. For buildings adjoining more than one street, it is the elevation of the sidewalk directly opposite the center of the wall adjoining the street having the lowest sidewalk elevation. For buildings having no wall adjoining the street, it is the average level of the finished ground surface adjacent to the exterior walls of the building. All walls which are approximately parallel to and not more than 25 feet from a front lot line shall be considered as adjoining the street. In alleys, the surface of the paving shall be considered to be the sidewalk elevation. Where the elevation of the sidewalk or alley paving has not been established, the Public Works Director shall determine such elevation for the purpose of this Ordinance.

TERM	DEFINITION
Grand Tree	Any tree with a diameter breast height of 24 inches or greater, with the exception of pine tree species.
Greenhouse	A partially or fully enclosed structure which is used for the growth of plants.
Greenhouse Production	Ornamental plants or food crops grown for wholesale sale within an enclosed structure or under cover.
Ground Cover	Low-growing plant material less than 18 inches in height.
Group Care Home, Residential	A staffed residence, licensed by the South Carolina Department of Social Services (DSS), with a population of fewer than 20 children who are in care apart from their parents, relatives, or guardians on a full-time basis. Group Care Homes are classified by different levels of care ranging from independent to assisted living.
Group Residential	The residential use of a site, on a weekly or longer basis, for occupancy by groups of more than six persons not defined as a family, such as fraternally or sorority houses, dormitories, or residence halls. This term does not include rooming or boarding houses.
Health Care Laboratory	A facility primarily involved in the testing, diagnosis, or observation of medical or dental samples collected at health care facilities. The samples are generally sent to the laboratory from off-premise facilities.
Heavy Construction Services	Services involved in road, bridge, building, or other infrastructure construction.
Height (Of Signs)	The vertical distance measured from ground level at the base of the sign structure to the highest point of sign structure.
Historic Site	A structure or piece of outstanding historical and cultural significance and designated as such by Charleston County, the State of South Carolina, or the National Register of Historic Places.
Home Occupation	An accessory use of a dwelling unit or its accessory structure for gainful employment.
Home Health Agencies	A public, nonprofit, or proprietary organization licensed by the South Carolina Department of Health and Environmental Control (DHEC) which furnishes or offers to furnish home health services. These services include part-time or intermittent skilled nursing care, as ordered by a physician and provided by or under the supervision of a registered nurse, and at least one other therapeutic service. The majority of home health services are furnished on a visiting basis in a place of temporary or permanent residence used as the individual's home. (See S.C. DHEC Regulation 61-77, Standards for Licensing Home Health Agencies)
Home Improvement Center	A facility with over 5,000 square feet of floor area engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, paint and glass, housewares and household appliances, and garden supplies. Facilities under 5,000 square feet shall be considered a "hardware store."
Homeowners' (or Property Owners') Association	A formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area. The Homeowners' or Property Owners' association may take responsibility for costs and upkeep of common open space or facilities, or enforce certain covenants and restrictions.
Horticultural Production	Land used to grow horticultural and floricultural specialties (such as flowers, shrubs, or trees intended for ornamental or landscaping purposes) for wholesale or retail sale in order to be transplanted to a different location. Retail sales shall not comprise more than 25 percent of gross sales. This definition excludes crop and greenhouse production that have been identified elsewhere in this Ordinance.
Horticulture and Landscaping Services	This activity shall include landscaping, tree trimming, tree removal, and other similar services together with associated equipment and machinery directed toward the care of trees, plants, or lawns.
Hospital	A licensed facility primarily providing in-patient medical, surgical, or psychiatric care for a period exceeding 24 hours. Hospital facilities may also include out-patient care and the following types of accessory activities: out-patient diagnostic and treatment centers, rehabilitation facilities, offices, laboratories, teaching facilities, meeting areas, cafeterias, maintenance, and parking facilities. This definition includes General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric and Substance Abuse Hospitals or Homes. (See S.C. Department of Health and Environmental Control Regulation 61-18, Standards for Licensing Hospital and General Infirmaries, and Regulation 61-78, Standards for Licensing Homes.)

TERM	DEFINITION
Hotel-motel	A building or portion thereof, or a group of buildings, which provides sleeping accommodations, with or without meal service, for transients on a daily or weekly basis, whether such establishment is designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, tourist cabin, tourist court, or tourist home.
Household	Same as definition for "Family."
Household Pet	See "Pet, Household" for definition.
Hydroponics	Land used to produce, for wholesale sale, plants grown in nutrient-enriched water, where no soil is used.
Illuminated Sign	See "Sign, Illuminator" for definition.
Immediate Family	See "Family, Immediate" for definition.
Indigenous Produce	Fresh fruit, vegetables, and agronomic crops (crops such as field corn, soybean, wheat, and oats) grown in, or are characteristic of Charleston County. This term specifically excludes livestock, animals, or seafood.
Indoor Recreation and Entertainment	See "Recreation and Entertainment, Indoor" for definition.
Inoperable Vehicle	Any motor-driven vehicle, regardless of size, which is incapable of being self-propelled upon the public streets of the County or which does not meet the requirements for operation upon the public streets, including a current motor vehicle registration.
Interior Lot Line	See "Lot Line, Interior" for definition.
Interior Lot	See "Lot, Interior" for definition.
Interior Setback	See "Setback, Interior" for definition.
Intermediate Care Facility for the Mentally Retarded	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) that serves four or more mentally retarded persons or persons with related conditions. This facility provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their mental retardation or related conditions. (See S.C. DHEC Regulation 61-13, Standards for Licensing Habilitation Centers for the Mentally Retarded or Persons with Related Conditions).
Junk Yard	See "Salvage Yard" for definition.
Kennel	A facility that provides boarding for three or more dogs, cats, or other household pets for a fee, and may include grooming, breeding, training, or selling of animals.
Landscape Buffer	See "Buffer, Landscape" for definition.
Liquor, Beer, or Wine Sales	A establishment primarily engaged in the retail sale of alcoholic beverages for off-premise consumption. This definition includes all retail stores where the sale of alcoholic beverages comprise 49 percent or more of gross sales.
Lodge	See "Social Club" for definition.
Lot	A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon and is recorded with the Register of Mesne Conveyance of Charleston County.
Lot Area	The total area included within the boundaries of a Zoning lot, measured in a horizontal plane.
Lot, Corner	Either a Zoning lot bounded entirely by streets or a Zoning lot which adjoins the point of intersections or meeting of two or more streets and in which the interior angle formed by the street lines is 135 degrees or less. If the street lines are curved, the angle shall be measured at the point of intersection of the extensions of the street lines in the directions which they take at the intersection of the street line with the side lot line and with the rear lot line of the lot. If the street line is curved at its point of intersection with the side lot line or rear lot line, the tangent to the curve at that point shall be considered the direction of the street line.
Lot, Double-Frontage	An interior lot that abuts on two parallel streets or that abuts on two streets that do not intersect at the boundaries of the lot. Lots with access on a street and alley shall not be considered double-frontage lots.
Lot, Flag	A lot with access provided to the bulk of the lot by means of a narrow corridor.
Lot Frontage	The distance for which a Zoning lot abuts on a street.
Lot, Interior	A lot with only one front lot line.

TERM	DEFINITION
Lot Line	A line of record bounding a lot which divides a lot from another lot or from a public or private street or any other public space.
Lot Line, Front	The lot line separating a lot from the street that is used as the primary access point to the lot.
Lot Line, Interior	The lot line other than a front lot line.
Lot Line, Rear	The lot line opposite and most distant from the front lot line.
Lot Line, Side	Any lot line other than a front or rear lot line.
Lot, Through	See "Lot, Double-Frontage" for definition.
Lot Width	<ol style="list-style-type: none"> Width of an Interior lot: the length of the front lot line or its chord; Width of a Corner or Double-Frontage Lot: <ol style="list-style-type: none"> if there are two front lot lines, the shorter of such lines or its chord; if there are more than two front lot lines, the average length of the two shortest of such lines or their chords; Width of lots served by a cul-de-sac: width shall be measured at the building line.
Lots of Record, Approved	A platted parcel or parcels of land created and recorded with the Register of Mesne Conveyance of Charleston County since January 1, 1955, in conformance with the subdivision regulations and zoning the Planning Commission or County Council stamp of approval, or identical parcels created and recorded by plat or deeds and bounds prior to January 1, 1955.
Lot, Zoning	Any lot that falls within the jurisdiction of Charleston County's Zoning and Land Development Regulations.
Lounge	See "Bar" for definition.
Main Utility Lines	Those facilities including piping, conduits, outlets, and other appurtenances necessary for the proper functioning of essential services to a development including water, electricity, gas, sanitary sewer, storm sewer, cable, communications, etc.
Maintenance Guarantee	Any security which may be required and accepted by the County to ensure that necessary improvements are maintained and will function as required for a specific period of time.
Major Recreational Equipment	Any boat, boat trailer, camper or other recreational vehicle with a length of more than 25 feet.
Manufactured Housing Park	A zoning lot on which two or more manufactured housing units are parked or any zoning lot on which space for two parking or other manufactured housing unit is rented. The term does not include manufactured housing unit subdivisions, or premises where unoccupied manufactured housing units, whether new or used, are parked for the purpose of inspection, sale, storage, or repair, or recreational vehicle parks.
Manufactured Housing Unit	Any residential dwelling unit constructed to Standards and Codes Set Forth by the United States Department of Housing and Urban Development, including the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Article 5401). The term does not include recreational vehicles, travel trailers or motorized homes licensed for travel on highways, nor manufactured housing units designed and built to meet applicable requirements of South Carolina Modular Buildings Construction Act.
Manufactured Housing Unit, Replacement	A manufactured housing unit that replaces a legally established manufactured housing unit located on an individual lot.
Manufacturing and Production	An establishment engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, this is a subordinate part of sales. Relatively few customers come to the site.
Marina	Any commercial facility for the wet or dry storage and docking of seaworthy watercraft that provides water access for boats, such as ramps or hoists. The term "marina" also includes any dock, moorage, pier, float, or any other similar structure erected, installed, placed, or maintained along a shoreline for the purpose of providing a stationary landing for the anchoring, mooring, housing, or storing of four or more watercraft. All marinas shall be considered a Water-Dependent Use (Art. 5.3).

TERM	DEFINITION
Maximum Extent Feasible	The point at which all possible measures have been undertaken by the applicant, at which point further measures would involve physical or economic hardships that would render a development project unfeasible or would be unreasonable in the judgment of a review or Decision-Making Body.
Mean Sea Level	Elevation 0.0 as determined by NGVD29 datum.
Medical Office (or Outpatient Clinic)	An office or clinic for the private practice of health care professionals licensed by the State of South Carolina. The majority of patient encounters in the office or clinic involve examination, diagnosis, treatment, or surgical procedures on an outpatient basis not extending beyond a 24 hour period. This definition excludes any facilities that have been more specifically defined in this Ordinance.
Medical Services	Any services provided by a licensed medical practitioner.
Mini Warehousing	Same definition as "Self-Service Storage."
Minor Street	See "Street, Minor" for definition.
Mixed-use Structure	A structure containing both residential and nonresidential uses.
Modular Building Unit	A building including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. A modular Building Unit must meet the applicable requirements of the South Carolina Modular Buildings Construction Act. This term is not to be limited to residential dwellings.
Motor Vehicle	Every vehicle that is self-propelled that can be licensed and registered to be driven on public streets, roads or rights-of-ways, except mopeds, and every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
Monument Sign	See "Sign, Monument" for definition.
Mulching Operation	An operation that produces mulch. Mulch consists of organic substances placed on the earth as a protective covering around plants to retain weed growth and prevent moisture evaporation and freezing of roots.
Multi-family Dwelling	See "Dwelling, Multi-family" for definition.
Museum	A registered nonprofit organization displaying, preserving, and/or exhibiting objects of community and cultural interest in one or more of the arts and sciences.
Nature Exhibition	A public display of materials or living things of the outdoors, including the re-creation of natural wildlife habitats native to the Charleston area. This term does not include facilities, such as zoos, where the primary purpose is the display of live animals.
Non-commercial Copy	Material written for informational purposes only. This material is non-promotional and does not advertise a business or service.
Nonconforming Lot	A tract of land, designated on a duly recorded subdivision plat, or by duly recorded deed, or by other lawful means, that complied with the lot area, lot width and lot depth standards of the zoning district in which it was located at the time of its creation, but which does not comply with the minimum lot area, lot width or lot depth requirements of the zoning district in which it is now located.
Nonconforming Sign	A sign that was legally established but which no longer complies with the Sign Regulations of Art. 9, 11.
Nonconforming Structure	A building or structure that was legally established but which no longer complies with the Density, Intensity and Dimensional Standards of the underlying zoning district.
Nonconforming Use	A use that was legally established but which is no longer allowed by the use regulations of the zoning district in which it is located.
Nursery (Plant)	Same as definition for "Horticultural Production."
Office	Unless the context clearly suggests a more specific meaning, the term office shall mean any of the following: Government Office, Administrative or Professional Office or Medical Office.

TERM	DEFINITION
Office of Coastal Resource Management (OCRM) Critical Line Area	This line is defined by South Carolina Office of Coastal Resource Management at the date of application and determines their jurisdiction.
Office/Warehouse Complex	A structure or group of structures offering compartments of varying size for rental to different tenants for the storage of commercial goods or wares, conducting of certain retail trade activities, or provision of those personal or business services permitted by zoning.
Off-Premises Sign	See "Sign, Off-Premises" for definition.
Opaque Screening	See "Screening, Opaque" for definition.
Open Space	An area that is not divided into building lots, streets, driveways, parking lots or rights-of-way and is intended to provide light and air, and is designed for either environmental resource protection, wildlife habitats, scenic views, or recreational purposes as allowed by this Ordinance.
Open (Or Field) Storage	The location of bulk items, assemblies or sub-assemblies in areas exposed to weather, in whole or in part, for the end use of further manufacturing process, sale or transportation. This shall include, but not be limited to, open display of transportation vehicles, marine craft, aircraft, manufactured housing units, modules, recreational vehicles, junk yards, or "piggy-back" containers. It does not include uses that are totally enclosed.
On-Premises Sign	See "Sign, On-Premises" for definition.
Outdoor Living Space	Uncovered, horizontal open space on a zoning lot, which space: <ol style="list-style-type: none"> Does not include loading or parking areas, driveways, or refuse storage area and is so arranged as to prevent entry by motor vehicles; Is paved, landscaped, or otherwise improved to make it suitable for passive or active outdoor recreational use and in the case of roofs and balconies is so arranged as to be safe for use by children; Is readily accessible to the residents of the building for which it is required; and May include land, balcony, and roof areas.
Outdoor Recreation and Entertainment	See "Recreation and Entertainment, Outdoor" for definition.
Outpatient Clinic	See "Medical Office" for definition.
Outpatient Facilities for Chemically Dependent or Addicted Persons	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) providing specialized non-residential services for chemically dependent or addicted persons and their families. The outpatient services are based on an individual treatment plan in a non-residential setting including diagnosis, treatment, individual and group counseling, family therapy, vocational and educational development counseling and referral services. (See Standards for Licensing, S.C. DHEC Regulation 81-93)
Parcel	A contiguous lot or tract of land owned and recorded as the property of the same person or persons, or controlled by a single entity.
Parking Lot	An open area providing off-street parking for the motor vehicles of residents, tourists, customers, or employees on a temporary, daily, or overnight basis.
Parking Garage	A building where residents, tourists, customers, or employees park their motor vehicles on a temporary or daily basis with a service charge or fee being paid to the owner or operator.
Parks and Recreation	Parks, playgrounds, swimming pools, recreation facilities, and open spaces available to the general public, either without a fee or under the management or control of a public agency.
Parole or Probation Office	An office for those who supervise parolees or persons placed on probation by a court in criminal proceedings.
Paved Streets	Those in which the traveled roadway is constructed of a layer or layers of materials with the surface usually being constructed of Portland cement concrete or asphaltic concrete.

TERM	DEFINITION
Pavement	The uppermost layer of material placed on the street usually as the wearing or riding surface. This term is used interchangeably with "surface course" or "surfacing" and will usually imply Portland cement concrete or asphalt concrete, but may include "locking."
Pawn Shop	A use engaged in the loaning of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of such property.
Pedestal Sign	See "Sign, Pedestal" for definition.
Penannets, Streamers, and Other Moving Devices	Penannets, ribbons, streamers, spinners, light bulbs, or other similar moving devices when part of a sign, or when used to draw attention to a business or its signs.
Person	Individual, proprietorship, partnership, corporation, association, or other legal entity.
Personal Improvement Education	An establishment primarily engaged in the provision of information or instruction relating to a particular subject or hobby. This term excludes any educational services more specifically defined in this Ordinance.
Personal Improvement Service	An establishment primarily engaged in the provision of informational, instructional, personal improvements or similar services, excluding any services that have been more specifically defined in this Ordinance.
Pet, Household	Domestic animals typically kept for company or enjoyment within the home. Household pets shall include but not be limited to: domestic cats; domestic dogs; domestic ferrets; gerbils; guinea pigs; hamsters; domestic laboratory mice; domestic rabbits; goldfish; canaries and parrots.
Pet Grooming Salons	An establishment primarily engaged in the grooming of household pets.
Pet Store	An establishment primarily engaged in the retail sale of household pets.
Planning Director	Planning Director shall mean the Director of the Planning Department of Charleston County or the authorized designee or representative of the Director.
Plants	The term plants is meant to include seed, seedlings, nursery stock, roots, tubers, bulbs, cuttings, and other plant parts used in the propagation of field crops, vegetables, fruits, flowers, or other plants.
Plat	A diagram drawn to engineer's scale showing all essential data pertaining to the boundaries and subdivision of a tract of land as determined by a professional land surveyor.
Portable Sign	See "Sign, Portable" for definition.
Postal Service, United States	Postal services, including post offices, bulk mail processing, or sorting centers operated by the United States Postal Service.
Pre-school	A school, with an accredited training program and staffed with certified teachers, for children who are not old enough to attend kindergarten.
Preserved	To remain relatively unchanged. In relation to open space, preserved shall mean land placed in a Conservation Easement with a permanent deed restriction that prohibits further development.
Principal Use	The primary or predominant use to which a property is or may be devoted and to which all other uses on the premises are accessory.
Principal Building	See "Building, Principal" for definition.
Professional Office	A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions. This term does not include "Medical Office or Clinic" or "Parole or Probation Office."
Property Owners' Association	See "Homeowners' Association" for definition.
Protected Tree	Any tree with a diameter breast height of 24 inches or greater, excluding pine trees, and any tree with a diameter breast height of six inches or greater within required buffers or any other required landscape areas.
Publicly Designated Area	An area set aside for public use, by any federal, state, or local government.
Public (or Community) Health Care Center	A publicly owned facility or not-for-profit organization providing health services for ambulatory patients. These centers can include related facilities, such as laboratories, clinics, and administrative offices typically operated in connection with such care centers. This term does not include facilities to treat mental health or substance abuse.

TERM	DEFINITION
Public Project	Any project by or for a public agency using real property, as owner or tenant, that falls within the jurisdiction of Charleston County. These public agencies include: <ol style="list-style-type: none"> Agencies and departments of the State of South Carolina; Counties, county agencies and departments; and Municipalities, municipal agencies, and departments.
Public Works Director	The Director of the Department of Public Works of the County of Charleston or an authorized representative.
Rack	A storage slip for a boat in a dry stack storage facility.
Railroad Facility	Railroad yards, equipment servicing facilities, and terminal facilities.
Real Estate Sign	See "Sign, Real Estate" for definition.
Rear Lot Line	See "Lot Line, Rear" for definition.
Rear Setback	See "Setback, Rear" for definition.
Recreation and Entertainment, Indoor	Participatory and spectator-oriented recreation and entertainment uses conducted within an enclosed building, excluding any sexually oriented businesses.
Recreation and Entertainment, Outdoor	Participatory and spectator-oriented recreation and entertainment uses conducted in open, partially enclosed, or screened facilities, excluding any sexually oriented businesses.
Recreation (or Vacation) Camp	An area or tract of land primarily used for recreational purposes that retains an open or natural character. Accommodations for temporary occupancy, such as cabins and tents, may be located or placed in these areas. This definition does not include areas for recreational vehicles or motorized campers.
Recreational Vehicle	A highway vehicular, portable structure designed as a temporary dwelling for travel, recreational, and vacation uses. The term includes camping trailer, motor home, travel trailer, and truck campers; the term does not include manufactured housing units.
Recreational Vehicle Park	Any lot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy as temporary living quarters for purposes of recreation or vacation. This term does not include any premises on which unoccupied recreational vehicles, whether new or used, are parked for the purposes of inspection, sale, storage, or repair.
Recreation Watercraft Rental	See "Charter Boat Rental" for definition.
Recycling Center	An establishment engaged in the processing, collection and transfer of recyclable materials. Typical recyclable materials include: glass, paper, plastic, cans, motor oil, or other source-separated, non-degradable materials.
Recycling Collection (Drop-off) Facility	A facility used for the collection and transfer, but not the actual processing, of any of the following recyclable materials: glass, paper, plastic, cans, or other source-separated, non-degradable materials. "Recyclable materials" at a Recycling Collection Facility shall not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts, or degradable materials.
Rehabilitation Facility	A facility operated for the primary purpose of assisting in the rehabilitation of disabled individuals through an integrated program of medical, psychological, social, or vocational evaluation and services under competent professional supervision.
Religious Assembly	A church, synagogue, temple, monastery, convent, retreat center or any permanent or temporary building providing regular, organized religious worship of any denomination, and religious education incidental thereto, but excluding private primary or secondary educational facilities day care facilities. A property tax exemption obtained pursuant to state law shall constitute prima facie evidence of religious assembly use.
Relocated Tree	A protected tree that has been relocated in accordance with the requirements of this Ordinance.
Remodel	The internal or external alteration or change, in whole or in part, of a structure or thing that changes its characteristic appearance or the fundamental purpose of its existing design or arrangement and the uses contemplated. Not included in this meaning are the terms "enlargement" and "extension."
Repair	The mending or restoration of a building or structure to a sound or good state, at or nearest to its original designed condition, due to decay, disintegration, damage or partial destruction. Such work shall not change the size or shape in whole or in part of a building or structure to expand a use. It shall include the terms "renovation," "rebuilding" and "reconstruction" for purposes of this Ordinance.
Repair, Minor	A repair affecting 25 percent or less of the gross floor area of a structure.

TERM	DEFINITION
Repair Service, Commercial	An establishment engaged in the repair or servicing of industrial, business or consumer machines, equipment, tools, scientific or professional instruments, or similar products or by-products. Firms that service consumer goods do so mainly by providing centralized services to separate retail outlets.
Repair Service, Consumer	An establishment primarily engaged in the provision of repair services to individuals and households rather than firms, not excluding vehicle and commercial repair services.
Replacement Manufactured Housing Unit	See "Manufactured Housing Unit, Replacement" for definition.
Required Tree	Tree used to refer, either collectively or separately, to all trees required to be retained or replaced by Art. 9.4 including: all grand trees, all protected trees and all trees required by Art. 9.5.
Residential Building or Use	A residential building is a building containing only residential uses and uses accessory thereto.
Residential Group Care Home	See "Group Care Home, Residential" for definition.
Residential Treatment Facility for Children and Adolescents	A facility licensed by the South Carolina Department of Health and Environmental Control (DHEC) operated for the assessment, diagnosis, treatment, and care of two or more children and/or adolescents in need of mental health treatment. The services include a special education program, recreational facilities, and residential treatment. This definition excludes facilities that are appropriately licensed by the State Department of Social Services. (See S.C. DHEC Regulation 01-103, Standards for Licensing Residential Treatment Facilities for Children and Adolescents)
Resource Extraction	The on-site extraction of surface or sub-surface mineral products of natural resources.
Responsible Entity	Defined as either (1) the unit of local government responsible under S. C. law for the maintenance of the roadway; or (2) in the case of private roadways (non-publicly maintained), the owner of the property on which the roadway is located, or if existing, a homeowners association previously created to maintain the roadway.
Restaurant, Fast Food	An establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried or griddled quickly, or heated in a device such as a microwave oven. A Fast-Food Restaurant generally has one or more of the following characteristics: A. It serves ready-to-eat foods, frozen desserts, or beverages in edible or paper, plastic or disposable containers; B. It serves foods that customers carry to the restaurant's seating facilities, to motor vehicles, or off-premises; or C. It serves foods through a pass-through window, (which includes any and all drive-in restaurants) Alcoholic beverages shall not comprise more than 25 percent of gross receipts.
Restaurant, General	An establishment engaged in the preparation and retail sale of food and beverages for on-premises consumption, where the sales of alcoholic beverages does not comprise more than 25 percent of gross receipts. This definition does not include Fast-Food restaurants.
Retail Sales and Service, General	An establishment primarily engaged in the sale of new or used products to the general public, but excluding those establishments more specifically defined in this Ordinance.
Retirement Living	The use of a site for one or more dwelling units designed for independent living and marketed specifically for the elderly, persons with physical disabilities or both.
Retirement Housing, Limited	The use of an existing dwelling unit for independent living and marketed specifically for the elderly, persons with physical disabilities or both, with 10 or fewer residents.
Review Body	The entity that is authorized to recommend approval or denial of an application or permit required under this Ordinance.
Right-of-way	Land that has been, or is being, dedicated for the construction and maintenance of a street. "Right-of-way" may also be used to identify an area dedicated for use as part of a drainage system or utility corridor.

TERM	DEFINITION
Roadside Stand	A small open air structure for the retail sale of sweetgrass baskets or indigenous produce grown or produced on the farm where the Roadside Stand is located.
Roadway	The entire area between the outside limits of construction, including appurtenant structures, all slopes, ramps, intersections, drive, and side ditches, channels, waterways, etc. necessary for proper drainage. This term shall in general be considered synonymous with "street" or "road".
Rock Road	Those in which the traveled roadway is constructed of compacted rock material creating a rock driving surface.
Roof Sign	See "Sign, Roof" for definition.
Rooming House	A residential building other than a Hotel/Motel in which rooms are provided for compensation for three or more, but not exceeding 20, adult persons not related by blood, marriage, or adoption to the owner. The rooms must be booked by pre arrangement for definite periods of time on either a weekly or monthly basis.
Rural Area	The area designated as the "Rural Area" in the Comprehensive Plan.
Safety Service	Facilities for the conduct of public safety and emergency services.
Scenic Road	A road or highway designated scenic by Charleston County or by the State of South Carolina.
School, Primary	A public, private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of South Carolina.
School, Secondary	A public, private or parochial school offering instruction at the middle (junior) and senior high school levels in the branches of learning and study required to be taught in the public schools of South Carolina.
Scrap and Salvage Service (or Junk Yard)	An establishment primarily engaged in the storage, retail or wholesale sale, assembling, dismantling, sorting, distributing, or other processing of scrap, used equipment, mechanical components, or waste materials.
Screening (Elements)	Various combinations of walls, fences, earthen berms, trees, shrubbery, and landscape materials which comprise a screening plan approved by the Planning Director to fulfill the requirements and serve the purposes of Art. 9.5.
Screening, Opaque	A combination of screening elements, approved by the Planning Director, designed to substantially or completely obscure horizontal views between abutting or adjacent properties. When plant materials are used for screening, the screening shall be opaque at the time of plant maturity.
Screening, Semi-Opaque	A combination of screening elements in compliance with the requirements of Art. 9.5 designed to partially obscure horizontal views between abutting or adjacent properties.
Self-service Storage (or Mini Warehousing)	Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding use as workshops, hobby shops, manufacturing, or commercial activity.
Semi-Opaque Screening	See "Screening, Semi-Opaque" for definition.
Service Station	See "Gasoline Service Station" for definition.
Setback	A required minimum distance from a lot line or erect right-of-way that establishes an area within which a structure shall not be located.
Setback, Front	The setback measured from a street right-of-way.
Setback, Interior	The setback measured from any interior lot line.
Setback, Rear	The setback measured from the rear lot line, or from the Office of Coastal Resources Management Critical Line if the rear lot line is not located on high ground.
Setback, Side	Any setback other than a rear or front setback.
Settlement Areas	The areas designated as "settlement areas" by the adopted Charleston County Comprehensive Plan.
Sewage Collection Service Line	A non-lateral line connecting development to a sewage collector or trunk line.
Sexually Oriented Businesses	Definitions provided in Section 6.4.18.C.
Shrub	A self supporting perennial plant of low stature characterized by multiple stems and branches running continuous from the base.

TERM	DEFINITION
Side Lot Line	See "Lot Line, Side" for definition.
Side Setback	See "Setback, Side" for definition.
Sign	Any device or visual communication that is used to announce, direct attention, inform, or advertise to the public.
Sign, Abandoned	A sign advertising a person, business, service, event or other activity that is no longer available or a sign containing inaccurate or outdated information.
Sign, Animated	Any sign so designed as to facilitate or permit the rotation, oscillation, or other movement of the sign or of any of its visible parts.
Sign, Area of	The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The area of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letters or devices. Area devoted to required house numbers shall not be included in the calculation of maximum sign area. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be constructed so that both faces are either parallel or have an interior angle of less than 90 degrees, and the two faces shall not be more than 12 inches apart.
Sign, Flashing	Any lighted or electrical sign that emits light in sudden transitory bursts. For purposes of this Ordinance, strobe lights in window fronts visible from public rights-of-way are included in this definition. On/off time and temperature signs and message boards are not considered flashing signs for the purpose of this Ordinance.
Sign, Free-standing	A sign supported by a sign structure secured in the ground and which is wholly independent of any building, other than the sign structure, for support. A sign on a fence shall be considered a freestanding sign.
Sign, Height of	The vertical distance measured from ground level at the base of the sign structure to the highest point of sign structure.
Sign, Illuminated	A sign designed to give forth artificial light or to reflect artificial light from a source incorporated in or associated with such sign.
Sign Imitating Traffic Devices (Signals)	Signs of such size, location, movement, content, coloring or of a manner of illumination that could be confused with, or construed to be traffic control devices, or hide from view any traffic or street sign, or obstruct the view in any direction from a street intersection.
Sign Imitating Traffic Signs	Signs that imitate official traffic signs or signals or signs that contain the words "stop", "go", "danger", "slow", "caution", "warning", or similar words in such a fashion as to imitate official traffic signs or signals.
Sign in Disrepair	Any sign that contains damaged or defective parts, or otherwise presents an unsightly appearance due to lack of maintenance.
Sign in Marshes	Signs erected or displayed in a marsh area or on land subject to periodic inundation by tidal action.
Sign, Monument	A free-standing sign with a sign (support) structure that: (1) is designed as one architecturally unified and proportional element with the sign itself, (2) is at least 90 percent of the width of the sign face and (3) is solid from grade at the base of the sign to the top of the sign structure.
Sign, Nonconforming	See "Nonconforming Sign" for definition.
Sign, Off-Premises	Any sign located or proposed to be located at any place other than within the same platted parcel of land on which the specific business or activity being identified on such sign is itself located or conducted.
Sign, On-premises	A sign which directs attention to a business or profession conducted, or to a principal commodity, service or entertainment sold or offered on the premises where such sign is located.
Sign, Pedestal	A free-standing sign with a sign (support) structure that: (1) is designed as one architecturally unified and proportional element with the sign itself, (2) is at least 50 percent of the width of the sign face and (3) is solid from grade at the base of the sign to the top of the sign structure.

TERM	DEFINITION
Sign, Portable	Signs which usually rest on the ground on wheels or metal legs, and may be temporarily anchored by weights and/or cables attached to stakes driven into the ground.
Sign, Real Estate	Temporary sign advertising the real property upon which the sign is located for rent or lease or sale; advertising a business or businesses to be located on the premises; or advertising the architect, contractor, developer, finance organization, subcontractor or material vendor upon which property such individual is furnishing labor, services or material.
Sign, Roof	Any sign erected upon, against, or directly above a roof or roof eave, or on or above any architectural appendage above the roof or roof eave.
Sign, Snipe	A non-permit sign posted or attached to utility poles, trees, fences, or other locations.
Sign, Temporary	Signs that are not permanently attached to a building, other structures or the ground and do not meet structural standards recognized and enforced by the Charleston County Building Inspections Services Department.
Sign, Vehicle	A permanent or temporary sign affixed, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed to attract the attention of the motoring public or pedestrian traffic.
Sign, Wall/Facade	A sign painted on or attached to the outside of a building, and erected parallel to the face of a building and supported throughout its length by such building.
Silviculture	The cultivation of a forest for the purpose of harvesting timber.
Single-Family, Attached	The use of a site for two or more dwelling units, constructed with common or abutting walls and each located on a separate lot. Also known as townhouses or rowhouses.
Single-Family, Detached	The use of a site for only one dwelling unit, other than a manufactured housing unit, that is not attached to any other dwelling unit.
Single Family, Detached (Affordable)	See Section 6.4.19 for definition.
Single-Family, Detached/ Manufactured Housing Unit (Joint Use)	The use of a site for one detached single-family dwelling unit and one manufactured housing unit.
Small Animal Boarding	An establishment primarily engaged in the boarding of household pets within an enclosed building.
Snipe Sign	See "Sign, Snipe" for definition.
Social (or Civic) Organization	An establishment providing meeting, recreational, or social facilities for a nonprofit association, primarily for use by members and guests of youth organizations, fraternal organizations, and other similar groups. This use does not include any type of residential facility, such as fraternity or sorority houses.
Social Club (or Lodge)	A building, structure, or grounds, or portion thereof, which is owned by or leased to private organizations, social clubs, or non-profit associations for meeting, recreational, or social purposes. The use of such premises is restricted to the members of these organizations and their guests.
Special Exception	An exception issued by the Board of Zoning Appeals authorizing a particular use in a specified location within a Zoning district, upon demonstrating that such use complies with all the conditions and standards specified by the Zoning and Land Development Regulations.
Special Trade Contractor	An establishment that specializes in a specific aspect of construction, such as carpentry, electrical, painting, plumbing, roofing, or tile.
Stable	A building or land where horses are kept for private or commercial use including boarding, sale, rental, breeding or raising of horses.
Standard Cubic Foot (Scf)	A cubic foot of gas at standard temperature and pressure, which are 68 degrees Fahrenheit and 29.92 inches of mercury.
Street	A vehicular way which may also serve in part as a way for pedestrian traffic, whether called a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, alley, mall, or otherwise designated, including the entire area within the right-of-way.

TERM	DEFINITION
Street, Arterial	A street used primarily or designed to conduct traffic between communities and activity centers, and to connect communities to major state and interstate highways. An arterial is a primary road characterized by high traffic volumes and high speeds.
Street, Collector	A street used or designed to carry traffic from minor streets to arterial or major streets for purposes of this Ordinance. Such streets include those designated as collectors in any Comprehensive Plan or element thereof officially adopted.
Street Line	A lot line separating a street from a lot.
Street, Minor	A street other than an arterial street or collector street used or designated primarily to provide access to abutting property. The term includes marginal access streets which are generally parallel and adjacent to arterial streets, serve abutting properties and provide protection from friction with through traffic. The term minor street includes loop streets and cut-through streets.
Stub Street	A street that intersects with another local street and extends, usually one lot deep, to the property line of the development or rear of the block being developed.
Structure	Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having a more or less permanent location on the ground.
Structural Alteration	See "Alteration, Structural" for definition.
Subdivision	All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combination of lots of record.
Subgrade	The top surface of a roadbed upon which the roadway structure and shoulders are constructed.
Suburban Area	The area designated as the "Suburban Area" in the adopted Charleston County Comprehensive Plan.
Temporary Sign	See "Sign, Temporary" for definition.
Tenant Dwelling	A dwelling located on a bona fide farm and which is occupied or designed to be occupied by a non-transient farm worker employed by the owner or operator of the farm.
Through Lot	See "Lot, Double-Frontage" for definition.
Trade School	See "Business School" for definition.
Transitional Housing	A facility providing supervision or detention, or both, for residents making the transition from institutional to community living. This classification includes pre-petole detention facilities and halfway houses for juvenile delinquents and adult offenders. This classification also includes overnight shelters for the homeless and emergency shelters during crisis intervention for victims of crime, abuse, or neglect.
Tree	Any self-supporting woody plant having a single trunk or trunks of two inches DBH or greater and usually having branches.
Tree Protection Fencing	A fence or wall at least four feet in height that ensures the protection of protected and grand trees during development.
Truck Stop	Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuels or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. Any overnight accommodations and restaurant facilities primarily for the use of truck crews shall be considered as a separate use, and shall follow the use requirements for that particular use as provided for in this Ordinance.
Understory Tree	A tree, 10 to 12 feet tall at the time of planting, which will grow to a minimum height of 20 feet at maturity.

TERM	DEFINITION
Use Permitted by Right	A principal use permitted without the requirement of a special exception.
Utility	A provider of electricity, gas, water, sewage service, telephone, cable or other similar service for principal development, and the provider of the service is publicly regulated.
Utility Service, Major	Facilities and structures that are necessary for the generation, transmission, and/or distribution of utilities to support principal development, such as generation facilities, electrical and telephone switching facilities, electric substations, pumping stations, sewage collection or disposal facilities, water or sewage treatment plants, water storage tanks, sewage collector or trunk lines, water mains, and similar facilities.
Utility Service, Minor	Minor structures, such as lines and poles, that are necessary to distribute utilities and provide service.
Vacation Camp	See "Recreation Camp" for definition.
Variance	A relaxation by the Board of Zoning Appeals of the dimensional regulations of the Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the results of actions or the situation of the applicant, a literal enforcement of this code would result in unnecessary and undue hardship; and such variance is consistent with Section 6.29.800 of the Code of Laws of South Carolina Title 6, Chapter 29.
Vehicle Rental and Leasing	The rental or leasing of automobiles, light or medium trucks, motorcycles, recreational vehicles, or utility trailers, including incidental storage, maintenance, and servicing. This use does not include boats or other watercraft.
Vehicle Repair, Consumer	An establishment that primarily provides service to automobile, light and medium trucks, motorcycles or recreational vehicles. These services include the maintenance, repair, or refinishing of motor vehicles, including both minor and major mechanical overhauling, paint and body work. Generally, the customer does not wait at the site while the service or repair is being performed. This term excludes any dismantling or scrap and salvage service.
Vehicle Sales	The sale of automobiles, light or medium trucks, motorcycles, recreational vehicles, or boats, including incidental storage, maintenance, and servicing.
Vehicle Service, Limited	An establishment that provides direct services to motor vehicles where the driver or passengers generally wait in the vehicle or nearby while the service is performed.
Vehicle Sign	See "Sign, Vehicle" for definition.
Vehicle Storage	An establishment offering long or short term storage of operating vehicles or vehicles contacted for repair. This term excludes any dismantling, scrap and salvage service, or junked vehicle yards.
Veterinary Service	An establishment offering veterinary services and hospitals for animals.
Vibration	The periodic displacement or oscillation of the earth.
Wall/Facade Sign	See "Sign, Wall/Facade" for definition.
Wall (or Fence)	A structural device erected to serve as an architectural element, landscape element, visual screen or physical barrier.
Warehouse and Distribution Facility	An establishment engaged in the storage or movement of goods, such as manufactured products, supplies, equipment or food. This term excludes bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions. Goods are generally delivered to other firms or the final consumer, except for some walk-in pickups. There is little on-site sales activity with the customer present.
Waste-related Use	Uses that collect or receive solid or liquid waste for disposal, treatment, transfer to another location, or production of energy from the waste. This term does not include uses otherwise defined as utilities.
Water Service Line	A non-lateral line connecting development to a water main.

TERM	DEFINITION
Waterfront (Property)	Property within 500 feet of any river, tidal wetland or waterway, including saltwater marshes. Property abutting freshwater wetlands shall not be considered "waterfront" property.
Wetland Buffer	See "Buffer, Wetland" for definition.
Wetlands, Freshwater	Those areas of land that are inundated or saturated by fresh water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions and delineated as freshwater wetlands by the U.S. Army Corps of Engineers.
Wholesale Sales	An establishment engaged in the wholesale sale of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking, and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.
Written Interpretation	Any review or evaluation by the Planning Director, in written form, concerning the Charleston County Zoning and Land Development Regulations, Comprehensive Plan, or any other relevant documents.
Zoning District	A specifically delineated geographic area or zone in Charleston County within which uniform development regulations and requirements govern the use, density, and the placement, spacing, or size of buildings.
Zoning Lot	See "Lot, Zoning" for definition.
Zoning Permit	A permit issued by the Charleston County Planning Department that acknowledges that the intended land use, structure, building, or construction complies with the provisions of the Zoning and Land Development Regulations or authorized variance therefrom. A Zoning Permit shall be required prior to the activities described in Art 3.8.1 of the Ordinance.
Zoo	A facility where live animals are kept for display.

ART. 12.2 INTERPRETATION

For the purpose of this Ordinance, certain words and terms used herein are defined as set forth in this Section. If not specifically defined herein, words and terms shall be defined in Webster's II New College Dictionary, 1999.

APPENDIX A | ROAD CONSTRUCTION STANDARDS

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ART. A.1 GENERAL INFORMATION**§A.1.1 ABBREVIATIONS**

For the purpose of these regulations, abbreviations relating to streets and drainage are defined as follows:

- A. AASHTO - American Association of State Highway and Transportation Officials.
- B. ASTM - American Society for Testing Materials.
- C. CTCSS - the Charleston County Transportation Committee publication *STANDARD SPECIFICATIONS FOR LOCAL GOVERNMENT'S ROAD AND STREET CONSTRUCTION*, current edition.
- D. HOA - Homeowners Association
- E. MLW - Mean Low Water
- F. MSL - Mean Sea Level of Elevation 0.0 as determined by NGVD 29 datum
- G. NGVD 29 - National Geodetic Vertical Datum of 1929
- H. SCDHEC/OCRM - South Carolina Department of Health and Environmental Control/ Office of Ocean and Coastal Resource Management
- I. SCDOT - South Carolina Department of Transportation
- J. USACOE - United States Army Corps of Engineers

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§A.1.2 DEFINITIONS

For the purpose of these regulations, terms relating to streets and drainage are defined as follows:

- A. **BASE COURSE** - The layer or layers of specified or selected material of designated thickness or rate of application placed on a subbase or subgrade to comprise a component of the pavement structure to support the pavement or subsequent layer of construction.
- B. **BRIDGE** - A structure, including supports, erected over a depression or an obstruction (e.g., water, highway, or railway) and having a track or passageway for carrying traffic or other moving loads.
- C. **CAUSEWAY** - An earthen structure with at least one side adjacent to a depression, wetland, or marsh that supports a road for carrying traffic or other moving loads.
- D. **CUL-DE-SAC** - The radial turnaround area at the end of a dead-end street.

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- E. **CULVERT** - Any structure which provides an opening under any roadway or any other structure so named in the plans excluding bridges.
- F. **DESIGN PROFESSIONAL** - An individual or firm appropriately licensed and registered in the State of South Carolina.
- G. **DETENTION** - The temporary restriction of stormwater that is released at a predetermined or controlled rate.
- H. **DEVELOPER** - The legal or beneficial owner of a lot or of any land proposed for development; or the holder of an option or contract to purchase; or any other person having an enforceable contractual interest in such land.
- I. **DRAINAGE EASEMENT** - The right of access of stormwater runoff from adjacent drainage basins into the drainageway within the defined easement.
- J. **EARTH ROADS** - Those roads constructed of compacted earth material.
- K. **EASEMENT** - A privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner to another person.
- L. **HOMEOWNERS' (OR PROPERTY OWNERS') ASSOCIATION** - A formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area. The Homeowners' or property owners' association may take responsibility for costs and up keep of common open space or facilities, or enforce certain covenants and restrictions.
- M. **MAIN UTILITY LINES** - Those facilities including piping, conduits, outlets, and other appurtenances necessary for the proper functioning of essential services to a development including water, electricity, gas, sanitary sewer, storm sewer, cable, communications, etc.
- N. **MEAN SEA LEVEL** - Elevation 0.0 as determined by NGVD 29 datum.
- O. **PAVED STREETS** - Those streets in which the riding surface is constructed of a layer or layers of materials usually comprised of Portland cement concrete or asphaltic concrete.
- P. **PAVEMENT** - The uppermost layer of material placed on the street usually as the wearing or riding surface. The term is used interchangeably with "surface course" or "surfacing" and will usually imply Portland cement concrete or asphaltic concrete.
- Q. **PUBLIC WORKS DIRECTOR** - The Director of the Department of Public Works for the County of Charleston or his authorized representative.
- R. **RESPONSIBLE ENTITY** - The unit of local government responsible under S. C. law for the maintenance of the roadway and/or drainage system; or in the case of private roadways and/or drainage systems (non-publicly maintained), the owner of the property upon which the roadway and/or drainage system is located, or if existing, a

homeowners association previously created to maintain the roadway and/or drainage system.

- S. **ROCK ROADS** - Those roads in which the riding surface is constructed of a layer or layers of materials usually comprised of compacted rock material or other aggregate materials.
- T. **RIGHT-OF-WAY** - Land that has been or is being dedicated for the construction and maintenance of a road or street. Right-of-way may also be used to identify an area dedicated for use as part of a drainage system or utility corridor.
- U. **ROADWAY** - The entire area between the outside limits of construction, including structures, slopes, ramps, intersections, utilities, and side ditches, channels, waterways, etc., necessary for proper drainage. This term shall in general be considered synonymous with street or road.
- V. **STREET** - A vehicular way, which may also serve in part as a way for pedestrian traffic, whether called a street, highway, thoroughfare, parkway, thoroughway, road, avenue, boulevard, lane, place, alley, mall, or other designation, including the entire area within the right-of-way.
- W. **STUB STREET** - A street that intersects with another local street and extends, usually one lot deep, to the property line of the development or rear of the block being developed.
- X. **SUBGRADE** - The top surface of a roadbed upon which the roadway structure and shoulders are constructed.

§A.1.3 INTRODUCTION

These standards provide specific information and design parameters regarding the construction of roads, ingress/egress easements, and drainage facilities. This document defines risks and responsibilities that are accepted by the property owner pertaining to the maintenance of the roads and drainage systems.

§A.1.4 OBJECTIVES

The primary objective is to ensure that property being subdivided is provided with access.

§A.1.5 SCOPE

These regulations shall apply in all unincorporated portions of Charleston County.

§A.1.6 PROPERTY ACCESS

It is the responsibility of the landowner/developer to provide access to the property being subdivided. Access to those properties shall be either privately or publicly owned and maintained. The ownership and maintenance status of the access shall be indicated on all submitted Plats.

§A.1.7 LANDOWNER/DEVELOPER RESPONSIBILITIES

The Landowner/Developer is responsible for selecting the type of access to be provided for their subdivision. The classification of access will determine the party responsible for maintenance and the County's associated responsibilities, if any.

§A.1.8 DESIGN PROFESSIONAL/LAND SURVEYOR RESPONSIBILITIES

The Design Professional-of-record must be currently registered to practice in the State of South Carolina. The designs must either be prepared by, or under their direct supervision in accordance with the Code of Laws of South Carolina, 1976, Title 40, Chapter 22, and Rules of Professional Conduct, including any revisions made thereto. The designs shall be based on sound engineering judgment and these standard specifications.

§A.1.9 COORDINATION WITH OTHER REVIEWING AGENCIES

A copy of the permits or application ID number required by any municipal, state, or federal agency(s) must be submitted to the Public Works Director with the construction plans for the roadway or drainage system.

§A.1.10 STORMWATER MANAGEMENT AND SEDIMENT CONTROL

All land-disturbing activities shall be in conformance with the *Charleston County Stormwater Management and Sediment Control Ordinance* and all State and/or Federal regulations that may be applicable.

The Design Professional shall prepare appropriate sediment and erosion control designs, and shall show sufficient data, including material lists, details, and time schedules, to ensure best management practices are followed. The developer shall be responsible to ensure that the Design Professional's designs are constructed in a timely manner and properly maintained throughout the duration of the construction period for the development. If sediment is carried downstream as a result of inadequate design, improper construction, neglected maintenance, an accident, or an act of nature, then the Developer shall ensure that the eroded soil is removed from the downstream properties and is legally disposed.

As a guide, reference is hereby made to the current edition of the *SOUTH CAROLINA STORMWATER MANAGEMENT AND SEDIMENT CONTROL HANDBOOK FOR LAND DISTURBANCE ACTIVITIES* (with the *COASTAL ZONE PROGRAM REFINEMENTS* included), published by the SCDHEC.

§A.1.11 ROAD CLASSIFICATIONS**A. PRIVATE ROADS**

Any road dedicated to an individual or entity other than Charleston County with an Ingress/Egress Easement (Maximum of 10 Lots). The easement holder retains ownership and maintenance responsibility for access and drainage.

B. PUBLIC ROADS (Minimum Standards)**Secondary Rural Road (Maximum of 10 Lots)**

Surface: earth (not all weather)
Minimal drainage (only roadside or sheet flow)
Travel way minimum width of 18'.
Lot drainage is each owner's responsibility

Primary Rural Road

Surface: earth, rock, or pavement
Minimal drainage with outfall (only for the roadway)
Travel way minimum width of 20'
Lot drainage is each owner's responsibility

Secondary County Road

Surface: rock or pavement
Drainage plan required for property and roadway system
Open ditch drainage system
Travel way minimum width of 21'

Primary County Road

Surface: paved
Curb and gutter
Drainage plan required for property and roadway system
Piped with limited open ditch drainage system
Travel way minimum width of 21'

§A.1.12 ROAD CLASSIFICATIONS**A. PRIVATE ROAD**

The landowner/developer shall have the option to utilize any of the private road classifications for property subdivision regardless of region (see below).

B. PUBLIC ROAD

Roads that are to be constructed, dedicated, and accepted into the County maintenance system shall be constructed in accordance with one of the public road classification standards. The minimum required classification for the road will be determined by its location within the unincorporated portions of Charleston County. For road classification purposes, the unincorporated portions of Charleston County are divided into three regions.

REGIONS

- 1) Rural - Areas within the County which have a zoning classification of AGR, AG-10, AG-15, AG-25, and NRM.
- 2) Transitional - Areas within the County which have a zoning classification of RR-3, AG-B, and RR.
- 3) Urban/suburban - Areas within the County which have a zoning classification of RSL, RSM, MHP, DR, OG, CN, CT, CR, CC, and I.

Secondary Rural Roads will only be allowed in the rural region.

Primary Rural Roads will be allowed in the rural region and within the transitional region when the following conditions are met to the satisfaction of the Public Works Director:

The proposed street is a cul-de-sac or future expansion is limited. The lots being created are a minimum of 5 acres in size or the design professional demonstrates adequate lot and roadway drainage can be provided.

Secondary County Roads will be allowed in the rural region. They shall also be allowed in the transitional region and urban/suburban region when the following conditions are met to the satisfaction of the Public Works Director:

The proposed street is a cul-de-sac or future expansion is limited.

The design professional demonstrates that storm water Best Management Practices can be utilized to satisfactorily address water quality requirements by in conjunction with an open drainage system.

The lots are of sufficient size to accommodate an open drainage system.

The street system is an expansion to an existing open drainage system.

Primary County Roads will be allowed in all regions.

Public roads shall connect with an existing public roadway which has been accepted by a public agency (County, Municipality, State). Public roads shall not rely upon a right-of-way which has only been dedicated but not accepted into a public maintenance system.

Streets within commercial and industrial developments shall be designed as Primary County Standard Streets unless approved otherwise, in writing, by the Public Works Director.

ART. A.2 PRIVATE ROAD STANDARDS**§A.2.1 GENERAL INFORMATION****A. INTRODUCTION**

The private road standards provide the landowner/developer with the flexibility to determine the level of access and service provided to lots being created. The private road standards require the landowner/developer to be responsible for the extent and quality of property access and drainage. The landowner/developer is responsible for the establishment of standards for design, construction, and maintenance of the roadway and drainage systems and for items such as access for emergency-service vehicles, school buses, mail couriers, and coordination of utilities. Note that public services or similar service classification vehicles are not guaranteed by Charleston County.

The private right-of-way shall be dedicated to a legally recognized or chartered entity. Private right-of-way shall not be dedicated to the public. Further, Charleston County is neither obligated nor responsible for private right-of-way maintenance.

B. LANDOWNER/DEVELOPER RESPONSIBILITIES

The landowner/developer is responsible for determining the type of access to be provided for his subdivided property. The landowner/developer shall be responsible for oversight and coordination of design and construction and for obtaining required approvals or permits from the appropriate agencies.

The landowner/developer is responsible for informing prospective property owners, whether solicited or unsolicited, of all conditions and responsibilities, or lack thereof, that have been placed on the property.

If access or drainage connects with a County right-of-way or easement, an encroachment permit shall be obtained prior to construction.

§A.2.2 INGRESS/EGRESS EASEMENT (Maximum of 10 Lots)**ADDITIONAL LANDOWNER/DEVELOPER RESPONSIBILITIES:**

The landowner/developer shall determine the location of easement(s) and the type of access to be provided. The location of the easement(s) shall be clearly depicted and labeled on submitted plats or plans.

§A.2.3 PRIVATE RIGHT-OF-WAY DEDICATED TO A HOA WITH NO ROAD CONSTRUCTION REQUIRED (Maximum of 10 Lots)**ADDITIONAL LANDOWNER/DEVELOPER RESPONSIBILITIES:**

The landowner/developer shall determine the location and size of proposed rights-of-way to be provided. All rights-of-way shall be clearly depicted on submitted plats or

plans. The landowner/developer is responsible for determining the suitability for construction for access within the right-of-way.

§A.2.4 PRIVATE RIGHT-OF-WAY CONSTRUCTED AND DEDICATED TO A HOA

ADDITIONAL LANDOWNER/DEVELOPER RESPONSIBILITIES:

The landowner/developer shall determine the location and size of rights-of-way to be provided and the standards for the design and construction of the roadway and drainage systems. The landowner/developer shall secure the necessary licensed, professional personnel to prepare designs, obtain required approvals and permits and oversee construction.

§A.2.5 DESIGN PROFESSIONAL RESPONSIBILITY

The Design Professional-of-record must be currently registered to practice in the State of South Carolina.

§A.2.6 CONSTRUCTION PLAN SUBMISSION

Roadway and/or drainage construction plans shall be submitted to the Public Works Department for informational purposes prior to construction. The submission shall include three sets of the construction plans and specifications, and a copy of all required regulatory permits.

Subsequent plan revisions shall also be submitted.

§A.2.7 COUNTY INSPECTION

All roadway and drainage work shall be inspected by the Public Works Director for compliance with the submitted plans and specifications. The inspections will be performed to provide construction documentation.

The landowner/developer shall give a one-week notice prior to beginning work at the site. After the initial notice, a 24-hour notice shall be given prior to beginning each operation (or continuing an operation when the work has been disrupted for more than one day).

§A.2.8 CERTIFICATION FROM THE DESIGN PROFESSIONAL

The design professional shall provide a written statement certifying "that to the best of his knowledge the road and drainage infrastructure has been constructed in accordance with the submitted plans."

ART. A.3 PUBLIC ROAD STANDARDS

§A.3.1 GENERAL INFORMATION

A. LANDOWNER/DEVELOPER RESPONSIBILITY

The landowner/developer is responsible for providing the County completed roadway and/or drainage system plans for the proposed development.

The landowner/developer shall secure licensed, professional personnel to prepare designs acceptable to the County;

The landowner/developer shall oversee and coordinate the presentation, reviews, and revisions of the designs with the appropriate agencies, and obtain required approvals and permits;

The landowner/developer shall provide field staking of the designs during the construction phase;

The landowner/developer shall coordinate County inspections; and

The landowner/developer shall provide required as-built records, record plats, etc.

The landowner/developer is responsible for providing competent construction personnel with appropriate equipment and skills to complete construction of the roadway and drainage systems in a manner acceptable to the County. The roadway and/or drainage system must be constructed in accordance with approved plans, specifications, permits, codes, and any other documents referred to herein.

B. COORDINATION WITH OTHER REVIEWING AGENCIES

County approval of roadway and/or drainage system proposals is contingent upon the accompanying approvals required by municipal, state, or federal agencies. A copy of permits from municipal, state, or federal agencies must be submitted to the Public Works Director prior to County approval of the construction plans for the roadway or drainage system.

C. COORDINATION WITH OTHER DEVELOPMENTS

Prior to acceptance of a proposed system dependent upon a contiguous system within an adjacent existing or proposed development, the contiguous system must be simultaneously or previously accepted by the County.

D. RIGHT-OF-WAY WIDTHS

The minimum right-of-way width for a roadway to be accepted into the County maintenance system is fifty (50) feet unless approved otherwise by the Public Works Director.

E. SIDEWALKS WITHIN PUBLICLY DEDICATED RIGHT-OF-WAY

When sidewalks are provided within the publicly dedicated right-of-way, they shall be constructed in accordance with Section A.4.1.C.8 unless otherwise approved by the Public Works Director. For roadways with open roadside drainage, sidewalks shall be placed behind the swales. Additional right-of-way may be required to accommodate proposed sidewalks.

F. FEE SCHEDULE

Filing fees as established by County Council shall be submitted with the construction plans. These fees are non-refundable. Further, these fees shall be collected for previously unapproved plans that have been significantly altered in concept and subsequently resubmitted.

G. GENERAL REQUIREMENTS FOR CONSTRUCTION PLAN APPROVAL

When preliminary subdivision approval has been granted by the Charleston County Planning Commission the Design Professionals shall prepare and submit one copy of street plans and profiles, including typical sections, drainage data, etc., to the Department of Public Works for review and approval prior to the beginning of construction of the street and drainage systems. The designer's seal, signature, and South Carolina registration number shall be affixed to the plans and specifications.

After reviewing and confirming that the proposed documents have been prepared in accordance with applicable County ordinances, the Public Works Director shall affix the appropriate stamp on the original drawing.

Prior to final plat approval, the landowner/developer shall furnish the Department of Public Works with two (2) sets of blueprints and one (1) reproducible set of the approved stamped plans before initiating work. Also, the landowner/developer shall furnish one (1) set of record drawing prints upon completion of the project.

When available, the Public Works Department requests an electronic data file of the approved plans including layout, road/right-of-way location, drainage easements, and other pertinent information that may be used to augment the County GIS. The landowner/developer is not responsible for ensuring that electronic data is compatible with the County's GIS system.

H. EXPIRATION DATE FOR COUNTY'S APPROVAL OF CONSTRUCTION PLANS

Construction plans and specifications approvals have the same duration as the preliminary plat approval. Refer to Chapter 8, Subdivision Regulations, for approval duration information.

I. COUNTY INSPECTION

All work required by the County for the development being considered shall be inspected by the Public Works Director for compliance with the approved plans and specifications.

The Public Works Director will make inspections when:

Construction plans and specifications have been approved by the Public Works Director.

Sufficient notice is given. The landowner/developer shall give a one week notice prior to beginning work at the site. After the initial notice, a 24-hour notice shall be given prior to beginning each operation (or continuing an operation when the work has been disrupted for more than one day).

A final project inspection shall be performed prior to scheduling Council acceptance.

The Public Works inspector shall have the authority to:

Certify that the construction and materials quality complies with the approved construction plans and these regulations;

Certify that material quantities comply with the approved construction plans;

Approve or reject materials and/or their installation in accordance with the approved construction plans, specifications and these regulations;

Suspend work with the concurrence of the Public Works Director.

J. SITE CLEANUP AND FINISH GRADING

Prior to street and drainage system acceptance, the right-of-way and drainage easements shall be cleared of all construction trash and debris. Lots or other areas designated on the approved plans requiring fill or grading shall also be completed.

K. MAINTENANCE GUARANTEES

Street and stormwater management/drainage systems that are to be dedicated to Charleston County for public maintenance shall be under warranty for all defects and failures for a period of 2 years. Prior to Final Plat approval, the developer shall provide written verification of financial responsibility for correction of defects and/or failures to improvements to be dedicated to the County. The warranty (minimally established at 10 percent of the construction cost) shall be in an amount satisfactory to the Public Works Director and effective for a period of 2 years from County Council's acceptance date. The financial warranty shall be in the form of a no-contest irrevocable bank letter of credit, a performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check. Payment is subject to County Attorney approval of the guarantee to determine that the interests

of Charleston County are fully protected. If a cashier's check is utilized, then the opinion of counsel may be waived. The Public Works Department shall maintain surveillance over the system and provide written notification to the landowner/developer if repair work is required during the warranty period. The Public Works Department shall identify defects not considered to be a public safety issue and notify the landowner/developer of such defects. The landowner/developer shall then have 30 days to prepare and submit a schedule of corrective actions for approval by the Public Works Director. If defects are not satisfactorily repaired within the approved schedule, then Public Works Department will resolve the defects and bill the bonding company accordingly. Public safety defects shall be addressed immediately by the Public Works Department. Subsequently, the bonding company will be billed for reimbursement.

§A.3.2 SECONDARY RURAL ROAD STANDARDS (Maximum of 10 lots)

A. GENERAL DESIGN REQUIREMENTS

Required Right-Of-Way:

The minimum right-of-way width is 50'.

Required Minimum Street Section:

Streets shall be constructed to minimum earth street standards and have a minimum travel way width of 18'.

Required Minimum Street Elevations:

The minimum street centerline elevation, at finish grade shall be 6.5 feet above Mean Sea Level.

Required Minimum Profile Gradient:

The minimum street profile centerline gradient shall be 0.4% except for causeways where land areas adjacent to the road embankment are jurisdictional wetlands or critical area.

Street Centerline Minimum Curve Radius Criteria:

Street centerline curve radii shall meet AASHTO guidelines for the design speed limit.

Where streets are designed for less than a thirty mile per hour (30 mph) speed limit, the Design Professional shall provide supporting design data, including traffic control signage.

All roads shall be designed with a minimum road centerline radius of one hundred and twenty five (125) feet.

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Horizontal sight distances shall be considered in the design process.

Vertical curves shall have a minimum length of one hundred (100) feet.

B. ROADWAY DRAINAGE DESIGN

The roadway drainage design must show, at a minimum, how the drainage is directed away from the travel way.

C. CONSTRUCTION PLANS AND SPECIFICATIONS

The construction plans shall clearly show all work to be performed in plan view, profile, cross section, details, and specifications. Specifications providing written descriptions of the work, workmanship, appearance, materials, or special provisions may either be shown on the drawings or presented in booklet form separate from the drawings. Specifications shall comply with the CTCSS, unless otherwise directed by the Public Works Director.

The following standards shall be observed and the information listed below shall be provided in the design and preparation of plans, profiles, details, drainage plans, and written specifications for construction:

Include a copy of the approved preliminary plat.

Plans and profiles shall be prepared on 24" x 36" sheets, having a profile at the bottom and a plan view at the top, with both the plan and profile stationing oriented in the same direction.

All elevations shall be referenced to the Mean Sea Level Datum for (NGVD 29).

Scales shall be: vertical 1" = 2' minimum and horizontal 1" = 50' minimum.

The following shall be shown in the plan view:

Stations along the centerline of the proposed road with appropriate ties at intersecting streets.

The width of the right-of-way and name of proposed roads and existing roads.

Alignment information, curve data with P.C., P.T., and P.I. angle points, as well as angles at intersections.

Arrows indicating the direction of drainage flow within the right-of-way.

Size, type, and location of trees proposed to remain within the clearing limits of the road right-of-way.

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DHEC/OCRM Critical Line and USACOE jurisdictional wetland delineations which relate to the right-of-way or easements.

Benchmarks with location, descriptions, coordinates, and datum, etc.

Details shall show sight distances, traffic control devices, design speeds for roads and other related information.

Other general construction details required to define the scope of work.

Profiles shall show:

Existing street centerline elevations showing all breaks in grade, but in no case more than one hundred (100) feet apart. Profiles shall include existing streets to which ties are being made for a distance of approximately two hundred (200) feet each side of intersection.

Proposed street centerline profile with centerline elevation every fifty (50) feet on vertical curves and at one hundred (100) foot stations along straight grades and at intersections.

Statement to be placed by Design Professionals on road and drainage plans "ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS."

Statement to be signed by the owner or the authorized agent of the owner: "I certify as an agent for or as a record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work the necessary approval or permission from all other persons with a legal interest in said property to conduct the work proposed in the approved subdivision construction plans."

D. CLEARING AND GRUBBING

Except as otherwise specifically stated herein, all Secondary Rural Road rights-of-way shall be cleared and grubbed for a minimum width of 40'; this work shall include the removal and disposal of trees, stumps, brush, rubbish, roots, and other objectionable materials.

§A.3.3 PRIMARY RURAL ROAD STANDARDS

A. GENERAL DESIGN REQUIREMENTS

Required Right-Of-Way:

The minimum right-of-way width is 50'.

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Required Minimum Street Section:

Streets shall have a minimum travel way width of twenty (20) feet. The travel surface shall be equal to the type of surface with which it is being connected (pavement, rock, or earth). If development characteristics warrant, the Public Works Director can approve a reduction in the surface type. Written requests for a reduction in surface types shall be directed to the Public Works Director with an accompanying justification statement.

Required Minimum Street Elevations:

The minimum street centerline elevation at finish grade shall be 6.5 feet above Mean Sea Level.

Required Minimum Profile Gradient:

The minimum street profile centerline gradient shall be 0.4% except for causeways where land areas adjacent to the road embankment are jurisdictional wetlands or critical areas.

Street Centerline Minimum Curve Radius Criteria:

Street centerline curve radii must meet AASHTO guidelines for the design speed limit.

Where streets are designed for less than a thirty mile per hour (30 mph) speed limit, the Design Professional shall provide supporting design data, including traffic control signage.

All roads shall be designed with a minimum road centerline radius of one hundred twenty five (125) feet.

Horizontal sight distances shall be considered in the design process.

Vertical curves shall have a minimum length of one hundred (100) feet.

B. ROADWAY DRAINAGE DESIGN

For roadways with open roadside swale ditches, the swale ditches shall be graded as shown on detail 6.02.01. The drainage plan shall show how the roadway drainage will be conveyed to an outfall or wetland. Roadside swale drainage ditches and driveway pipes shall be designed for a five (5) year Average Return Frequency storm (minimum driveway pipe size shall be fifteen [15"] inches in diameter). Cross drains, outfall ditches and piped systems shall be designed for a ten (10) year Average Return Frequency Storm. Average Return Frequencies are defined in Section A.4.2.D. Roadside ditch inverts shall parallel the finished road longitudinal gradient except as otherwise approved by the Public Works Director. Drainage shall not be carried in roadside ditches for a distance exceeding seven hundred (700) linear feet

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(accumulated distance) except as otherwise approved by the Public Works Director.

C. CONSTRUCTION PLANS AND SPECIFICATIONS

The construction plans shall clearly show all work to be performed in plan view, profile, cross section, details, and specifications. Specifications providing written descriptions of the work, workmanship, appearance, materials, or special provisions may either be shown on the drawings or presented in booklet form separate from the drawings. Specifications shall comply with the CTCSS, unless otherwise directed by the Public Works Director.

The following standards shall be observed and the information listed below shall be provided in the design and preparation of plans, profiles, details, drainage plans, and written specifications for construction:

Include a copy of the approved preliminary plat.

Plans and profiles shall be prepared on 24" x 36" sheets, having a profile at the bottom and a plan view at the top, with both the plan and profile stationing oriented in the same direction.

All elevations shall be referenced to the Mean Sea Level Datum for (NGVD 29).

Scales shall be: vertical 1" = 2' minimum and horizontal 1" = 50' minimum.

The following shall be shown in the plan view:

Stations along the centerline of the proposed road with appropriate ties at intersecting streets.

The right-of-way width and name of the proposed roads and existing roads.

Alignment information, including curve data with P.C., P.T., and P.I. angle points, as well as angles at intersections.

Arrows indicating the direction of drainage flow within the right-of-way.

Size, type, and location of trees proposed to remain within a road right-of-way or drainage easement.

Existing and proposed drainage structures and drainage easements along with rights-of-way and drainage cross sections.

DHEC/OCRM Critical Line and USACE jurisdictional wetland delineations which relate to the right-of-way or easements.

Benchmarks with location, descriptions, coordinates, and datum, etc.

Details shall show pond outfall structures, sight distances, traffic control devices, design speeds for roads, and other related information.

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Other general construction details required to define the scope of work.

Profiles shall show:

Existing street centerline elevations showing all breaks in grade, but in no case more than one hundred (100) feet apart. Profiles shall include existing streets to which ties are being made for a distance of approximately two hundred (200) feet each side of intersections.

Proposed street centerline profile with centerline elevations every fifty (50) feet on vertical curves, and at every (100) hundred feet along tangents and at intersections.

Vertical curve data.

Proposed and existing storm drains, sanitary sewers, water mains, pipe underdrains, and cross line pipes.

Statement to be placed by Design Professionals on road and drainage plans "ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS."

Statement to be signed by the owner or the authorized agent of the owner: "I certify as an agent for or as a record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work the necessary approval or permission from all other persons with a legal interest in said property to conduct the work proposed in the approved subdivision construction plans."

D. CLEARING AND GRUBBING

Except as otherwise stated herein, all Primary Rural Road rights-of-way shall be cleared and grubbed for a minimum width of fifty (50) feet; this work shall include the removal and disposal of trees, stumps, brush, rubbish, roots, and other objectionable materials.

E. CLEARING OF DRAINAGE EASEMENTS

The full width of all drainage easements shall be cleared of trees, buildings, fences, stumps, brush, logs, rubbish, roots, overhanging tree limbs, overhanging utility wires or cables, or any other item that may, in the judgment of the Public Works Director, interfere with drainage facility or the maintenance of the facility. Existing obstacles may be left in place upon approval of the Public Works Director provided that all of the following criteria are met: a) the drainage system or the obstacle cannot be easily relocated; b) adequate and safe operational easement space for maintenance by mechanized equipment is provided; c) the drainage way is not obstructed; and d) the drainage easement width is increased to accommodate the obstructions.

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5A.3.4 SECONDARY COUNTY ROAD STANDARDS

A. GENERAL DESIGN REQUIREMENTS

Required Minimum Right-Of-Way:

The minimum right-of-way width is 50', however;

The road right-of-way must be of sufficient width to provide for the following:

Drainage;

Pavement;

Shoulders;

Signage;

Trees; and

Utilities such as street lights, and overhead/underground utility lines (electric, telephone, cable TV, gas, water, and sewer).

Required Minimum Street Section:

Streets shall have a minimum travel way width of twenty (21) feet. The travel surface shall be equal to the type of surface with which it is being connected (pavement, rock, or earth). If development characteristics warrant, the Public Works Director can approve a reduction in the surface type to a rock surface. Written requests for a reduction in surface type shall be directed to the Public Works Director with an accompanying justification statement.

Required Minimum Street Elevations:

The minimum street centerline elevation at finish grade shall be 6.5 feet above Mean Sea Level.

Required Minimum Profile Gradient:

The minimum street profile centerline gradient shall be 0.4% except for causeways where land areas adjacent to the road embankment are jurisdictional wetlands or critical areas.

Street Centerline Minimum Curve Radius Criteria:

Street centerline curve radii must meet AASHTO guidelines for the design speed limit.

Where streets are designed for less than a thirty mile per hour (30 mph) speed limit, the Design Professional shall provide supporting design data, including traffic control signage.

All roads shall be designed with a minimum road centerline radius of one hundred twenty five (125) feet.

Horizontal sight distances shall be considered in the design process.

Vertical curves shall have a minimum length of one hundred (100) feet.

B. GENERAL REQUIREMENTS FOR DESIGN OF DRAINAGE SYSTEMS

The design of drainage facilities for a development must be done with consideration being given to the entire drainage basin. Provisions must be made to receive and manage runoff from upstream areas and to ensure that downstream areas are not adversely impacted by discharges or runoff. The current zoning of upstream properties and runoff factors representing existing land use, assumed to be fully developed, shall be used in determining design runoff rates and quantities. It is not to be assumed that existing developed properties without stormwater detention systems will have them in the future.

C. ROADWAY DRAINAGE DESIGN

For roadways with open roadside swale ditches; The swale ditches shall be graded as shown on detail 6.02.01. The drainage plan shall show the drainage basin areas contributing stormwater runoff to the roadside ditches. Roadside swale drainage ditches and driveway pipes shall be designed for a five (5) year Average Return Frequency storm (minimum driveway pipe size shall be fifteen (15") inches in diameter). Cross drains, outfall ditches and piped systems shall be designed for a ten (10) year Average Return Frequency Storm. Average Return Frequencies are defined in Section A.4.2.D. The invert elevation of the roadside swale ditch shall be no less than eighteen (18) inches and no greater than twenty-four (24) inches below the corresponding centerline street finish grade elevation and longitudinal grades shall be no less than 0.4% nominal grade, unless otherwise approved by the Public Works Director. Roadside ditch inverts shall parallel the finish road longitudinal gradient except as approved by the Public Works Director. Drainage shall not be carried in roadside ditches for a distance exceeding seven hundred (700) linear feet (accumulated distance) except as approved by the Public Works Director.

Outfall ditches to wetland areas shall be piped for a minimum length of twenty (20) feet at their outfall ends; or an alternate approved means of defining wetlands limits for maintenance purposes shall be provided.

D. MAINTENANCE PLAN

When detention or retention facilities are required by local or state agencies or proposed by the Design Professional, a comprehensive stormwater management system maintenance plan must be submitted and approved by the Public Works Director. The maintenance plan shall address: frequency of maintenance, disposal

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of material, access to the facility, other site specific data. The responsible entity shall provide written concurrence to the maintenance plan. All stormwater runoff and maintenance requirements described herein shall be applicable.

Charleston County will maintain detention facilities to the extent that the public drainage system functions as designed (stage-storage capacity of the pond remains adequate). Any facility not maintained by Charleston County shall be maintained by a responsible entity of or for the development. Acceptable arrangements for proper and perpetual maintenance shall be presented to Charleston County at the time of the final construction inspection for the project.

Detention ponds, lakes, or impoundments which function as a conveyance of stormwater downstream of the proposed development shall require a drainage dedicated easement and maintenance shelf constructed along those banks in accordance with these regulations, unless otherwise approved by the Public Works Director.

E. CONSTRUCTION PLANS AND SPECIFICATIONS

The construction plans shall clearly show all work to be performed in plan view, profile, cross section, details, and specifications. Specifications providing written descriptions of the work, workmanship, appearance, materials, and special provisions may either be shown on the drawings or presented in booklet form separate from the drawings. Specifications shall conform to those listed in the CTCSS, unless otherwise directed by the Public Works Director.

The following standards shall be observed and the information listed below shall be provided in the design and preparation of plans, profiles, details, drainage plans, and written specifications for construction:

Include a copy of the approved preliminary plat.

Plans and profiles shall be prepared on 24" x 36" sheets, having a profile at the bottom and a plan at the top, with both the plan and profile stationing oriented in the same direction.

All elevations shall be referenced to the Mean Sea Level Datum for (NGVD 29).

Scales shall be: vertical 1" = 2' minimum and horizontal 1" = 50' minimum.

The following shall be shown in the plan view:

Stations along the centerline of the proposed road with appropriate ties at intersecting streets.

The width of the right-of-way and name of the proposed roads and existing roads.

Alignment information, including curve data with P.C., P.T., and P.I. angle points, as well as angles at intersections must be shown.

Arrows indicating the direction of drainage flow along drainageways, through lots, and at intersections.

Existing and proposed utility lines and utility easements.

Size, type, and location of trees proposed to remain within a road right-of-way or drainage easement.

Road cross sections with sidewalks (when required).

Existing and proposed drainage structures and drainage easements, along with rights-of-way and drainageway cross sections.

DHEC/OCRM Critical Line and USACOE jurisdictional wetlands.

Details shall show pond outfall structures, sight distances, traffic control devices, design speeds for roads, and other related information.

Benchmarks with location, descriptions, coordinates, and datum, etc.

Other general construction details required to define the scope of work.

Profiles shall show:

The existing street centerline elevations showing all breaks in grade, but in no case more than one hundred (100) feet apart. Profiles shall include existing streets to which ties are being made for a distance of approximately two hundred (200) feet each side of intersections.

Proposed street centerline profile with centerline elevations every fifty (50) feet on vertical curves and at every hundred (100) feet along tangents and at intersections.

Vertical curve data.

Proposed and existing storm drains, sanitary sewers, water mains, pipe underdrains, and cross line pipe.

Proposed grades of all ditches and swales on or off site. Show existing grades of incoming and outfall drainageways for two hundred (200) feet upstream/downstream if no grade changes are proposed.

An overall drainage plan shall be submitted along with the plans and profiles and detail sheets.

The drainage plan sheet shall show the street layout and the entire drainage system to be constructed or improved, along with the sizes and invert elevations of drainage pipes, the width of proposed and existing drainage easements, the direction of drainage flow (using arrows), detention ponds, outfall structures, lot drainage, and existing canals, tidal streams, etc.

The drainage plan shall include pertinent drainage data such as drainage areas, runoff coefficients, times of concentration (with computations), runoff volumes, soils data, detention pond routing, pond crest elevations, and other related information.

Statement to be placed by Design Professionals on road and drainage plans "ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS."

Statement to be signed by the owner or the authorized agent of the owner: "I certify as an agent for or as a record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work the necessary approval or permission from all

Trees;

Signage;

Sidewalks where installed (or required); and

Utilities such as street lights, and overhead/underground utility lines (electric, telephone, cable TV, gas, water, and sewer).

Required Minimum Street Section:

Streets shall be constructed as paved streets and conform to detail 6.02.02.

B. TYPE OF CURB AND GUTTER**Concrete Curb and Gutter:**

Either the upright curb and gutter or roll curb and gutter may be used (see typical detail 6.02.10). The minimum width for the upright curb and gutter shall be eighteen (18) inches and two (2) feet for roll curb and gutter. The maximum distance between expansion joints specifically specified otherwise herein, shall be in accordance with Section 620 of the CTCSS.

Asphalt Curb and Gutter:

Asphalt curb and gutter sections shall be submitted for approval. All work, materials, methods, and equipment, unless specifically specified otherwise herein, shall be in accordance with Sections 401 and 403 of the CTCSS.

If upright curb and gutter is utilized, driveway entrances for subdivision lots shall be shown on the construction plans and constructed as part of the development.

C. GENERAL REQUIREMENTS FOR DESIGN OF DRAINAGE SYSTEMS

The design of drainage facilities for a development must be done with consideration being given to the entire drainage basin. Provisions must be made to receive and manage runoff from upstream areas and to ensure that downstream areas are not adversely impacted by discharges or runoff. The current zoning of upstream properties and runoff factors representing existing land use assumed to be fully developed, shall be used in determining design runoff rates and quantities. It is not to be assumed that existing developed properties without stormwater detention systems will have them in the future.

Also, drainage design requirements for the entire development shall conform to Section A.4.2.

D. ROADWAY DRAINAGE DESIGN

Outfalls leading to or from streets shall be piped except as otherwise approved by the Public Works Director.

Curb inlet structures shall be located so that drainage shall not be carried in gutters for a distance exceeding five hundred (500) feet (accumulated distance). The five (5) year Average Return Frequency storm shall not cause water to flow onto the road for a width greater than five (5) feet. Culvert piping running longitudinally with the street shall not be located under the pavement or curb and gutter, nor shall it conflict with the normal location of underdrains.

E. SUBSURFACE DRAINAGE

Where pipe underdrains are required, their centerline shall be located two and one-half (2½) feet behind the back of the curb and they shall be properly connected to a permanent type drainage outlet, such as a catch basin, junction box, or a manhole.

Piped underdrains shall conform to the underdrain detail 6.02.02. Underdrain inverts shall be a minimum of twenty-four (24) inches below the bottom of the curb and above any static lake/pond elevation.

Suitable outlets for the pipe underdrains shall be provided in the drainage system design.

Pipe underdrains shall be installed at low points in the grade on both sides of the street for a minimum distance of one hundred (100) feet in each direction along the street; except at locations where the design engineer can demonstrate to the satisfaction of the Public Works Director, that the water table will not be within twenty-four (24) inches of centerline subgrade elevation.

Pipe underdrains, where required, shall be routinely installed before the base course is placed.

Pipe underdrains shall be placed in other locations as determined by the Design Professional or as required by the Public Works Director during construction.

Pipe underdrains shall be properly laid on grade and in accordance with these specifications and the CTCSS Section 702 and shall not be covered until they have been inspected and approved by the Charleston County Public Works Department.

Alternative underdrain designs shall be presented to the Public Works Director for review and approval.

F. MAINTENANCE PLAN

When detention or retention facilities are required by local or state agencies or proposed by the Design Professional, a comprehensive stormwater management system maintenance plan must be submitted and approved by the Public Works Director. The maintenance plan shall address: frequency of maintenance, disposal of material, access to the facility, and other site specific data. The entity responsible for maintenance shall be identified and shall provide written concurrence to the maintenance plan. All stormwater runoff and maintenance requirements described herein shall be applicable.

Charleston County will maintain detention facilities to the extent that the public drainage system functions as designed (stage-storage capacity of the pond remains adequate). Any facility not maintained by Charleston County shall be maintained by a responsible entity of or for the development. Acceptable arrangements for proper and perpetual maintenance shall be presented to Charleston County at the time of the final construction inspection for the project.

Detention ponds, lakes, or impoundments which function as a conveyance of stormwater downstream of the proposed development shall require a dedicated drainage easement and a maintenance shelf constructed along those banks in accordance with these regulations, unless otherwise approved by the Public Works Director.

G. CONSTRUCTION PLANS AND SPECIFICATIONS

The construction plans shall clearly show all work to be performed in plan view, profile, cross section, details, and specifications. Specifications providing written descriptions of the work, workmanship, appearance, materials, and special provisions may either be shown on the drawings or presented in booklet form separate from the drawings. Specifications shall comply with the CTCSS, unless otherwise directed by the Public Works Director.

The following standards shall be observed and the information listed below shall be provided in the design and preparation of plans, profiles, details, drainage plans, and written specifications for construction:

Include a copy of the approved preliminary plan.

Plans and profiles shall be prepared on 24" x 36" sheets, having a profile at the bottom and a plan at the top, with both the plan and profile stationing oriented in the same direction.

All elevations shall be referenced to the Mean Sea Level Datum for (NGVD 29).

Scales shall be: vertical 1" = 2' minimum and horizontal 1" = 50' minimum.

The following must be shown:

Stations along the centerline of the proposed road with appropriate ties at intersecting streets.

The width of the right-of-way and name of the proposed roads and existing roads.

Alignment information, including curve data with P.C., P.T., and P.I. angle points, as well as angles at intersections.

Arrows indicating the direction of drainage flow along drainageways, through lots, and at intersections.

Existing and proposed utility lines and utility easements.

Size, type, and location of trees proposed to remain within a road right-of-way or drainage easement.

Road cross sections with sidewalks (when required).

Existing and proposed drainage structures and drainage easements, along with rights-of-way and drainageway cross sections.

DHEC/OCRM Critical Line and USACOE jurisdictional wetlands.

Benchmarks with location, descriptions, coordinates, and datum, etc.

Details shall show pond outfall structures, sight distances, traffic control devices, design speeds for roads, and other related information.

Other general construction details required to define the scope of work.

Profiles shall show:

The existing street centerline elevations, showing all breaks in grade, but in no case more than one hundred (100) feet apart. Profiles shall include existing streets to which ties are being made for a distance of approximately two hundred (200) feet each side of intersections.

Proposed street centerline profile with centerline elevations every fifty (50) feet on vertical curves and at every hundred (100) foot stations along tangents and at intersections.

Vertical curve data.

Proposed and existing storm drains, sanitary sewers, water mains, pipe underdrains, and cross line pipe.

Proposed grades of all ditches and swales on or off site. Show existing grades of incoming and outfall drainageways for 200 feet upstream/downstream if no grade changes are proposed.

An overall drainage plan shall be submitted along with the plans and profiles and detail sheets.

The drainage plan sheet shall show the street layout and the entire drainage system to be constructed or improved, along with the sizes and invert elevations of drainage pipes, the width of proposed and existing drainage easements, the direction of drainage flow (using arrows), detention ponds, outfall structures, lot drainage, and existing canals, tidal streams, etc.

The drainage plan shall include pertinent drainage data such as drainage areas, runoff coefficients, times of concentration (with computations), runoff volumes, soils data, detention pond routing, pond crest elevations, and other related information.

Statement to be placed by Design Professionals on road and drainage plans "ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS."

Statement to be signed by the owner or the authorized agent of the owner: "I certify as an agent for or as a record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work the necessary approval or permission from all other persons with a legal interest in said property to conduct the work proposed in the approved subdivision construction plans."

H. PIPING AND EASEMENTS

Unless justification is provided, to the satisfaction of the Public Works Director, all drainage easements within the urban areas of the County shall be required to be piped excepting: a) swales with depths less than twenty-four (24) inches having 5:1 side slopes and wholly contained within the easement, and b) canals (designed for a capacity exceeding that of an equivalent thirty-six (36) inch diameter pipe).

I. CLEARING AND GRUBBING

Except as otherwise stated herein, all Primary County Road rights-of-way shall be cleared and grubbed for the full width of the right-of-way; this work shall include the removal and disposal of trees, stumps, brush, rubbish, roots, and other objectionable materials.

For streets constructed with upright or roll curb and gutter, selected specimen trees may be permitted to remain within the right-of-way when the following conditions are met:

- 1) Trees are healthy, of aesthetic values, and are firmly rooted with the base of the tree being at or near the elevation of the curb or edge of pavement.
- 2) The distance from the back of the curb to the nearest face of the tree is not less than five (5) feet.
- 3) Additional right-of-way is provided where necessary.

Where underdrains are required, the tree(s) shall be removed or the right-of-way shall be relocated.

J. CLEARING OF DRAINAGE EASEMENTS

The full width of all drainage easements shall be cleared of trees, buildings, fences, stumps, brush, logs, rubbish, roots, overhanging tree limbs, overhanging utility wires or cables, or any other item that may, in the judgment of the Public Works Director, interfere with drainage facility maintenance or operations. Existing obstacles may be left in place, with the Public Works Director's approval, if:

1. The drainage system or the obstacle cannot be easily relocated;
2. Adequate and safe easement space for maintenance by motorized equipment is provided;
3. The drainage is not obstructed;
4. The drainage easement width is increased to accommodate obstructions.

ART. A.4 DESIGN AND CONSTRUCTION REQUIREMENTS**§A.4.1 ROAD DESIGN****A. STREET INTERSECTION LAYOUT**

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Live Load: HS 20-44 loading or an alternate military loading, whichever the minimum street centerline elevation at finish grade shall be 6.5 feet above Mean Sea Level.

The minimum width of the bridge shall be twenty-three (23) feet (as measured from the face of the guide rail to the face of the guide rail). SCDOT standard guide rails shall be required. Reduction of bridge width (up to three feet) and guide rail design alternatives may be considered by the Public Works Director.

The developer shall provide copies of approved permits from applicable regulatory agencies for the construction of bridges.

3. STUB STREETS

Stub streets extending to the boundary or property line of the subdivision shall be constructed simultaneously with the other streets in the development and shall be constructed in the same manner.

4. CUL-DE-SAC STREETS

Cul-de-sacs shall be provided at the terminus of closed end streets with minimum dimensions as indicated below.

Circular turnaround: Minimum right-of-way radius, fifty (50) feet and outermost edge road surface radius, thirty-five (35) feet exclusive of curb and gutter. A twenty (20) feet minimum pavement width is required, exclusive of curb and gutter.

Y or T turnaround: Permissible only where a cul-de-sac street serves twenty (20) dwelling units or less and upon approval by the Public Works Director. The design engineer must demonstrate that the road configuration will allow both emergency and service vehicles to turn around.

5. TEMPORARY CUL-DE-SACS

Temporary cul-de-sacs shall be provided when incremental road construction and/or phasing is requested by the developer. Temporary cul-de-sacs shall be constructed as required by this Section. Unpaved temporary cul-de-sacs shall require an additional two (2) inches compacted depth of base course.

6. CONSTRUCTION ACCESS

The Design Professional shall identify the development's construction access route and submit its proposed road section and surface course design for approval by the Public Works Director.

7. INVERTED CROWN ROADS

The use of inverted crown roads will require the written approval of the Public Works Director. Request for the use of an inverted crown road shall be in writing

Street intersections shall not include more than four (4) street approaches. Streets shall be designed to intersect at right angles whenever possible. Sight distance easements shall be shown and dedicated on the record drawings of the development, and should reflect a triangular area as determined by detail 6.02.28. Within this triangle, there shall be no sight-obscuring or partial sight-obscuring wall, fence, sign, or full grown foliage higher than thirty (30) inches above edge of pavement. In the case of trees, there shall be no foliage lower than fifteen (15) feet above the top of curb grade when foliage is saturated with rain. Vertical measurement shall be made by the Public Works Director from the top of the nearest curb or if no curb exists, from the edge of the nearest traveled roadway finish-grade surface. Offsets of local streets shall have a minimum of one hundred twenty five (125) feet between centerlines.

B. TRAFFIC CONTROL SIGNS AND STREET NAME SIGNS

All traffic control signs and street name signs shall be installed at no costs to the County as part of the development. The Design Professional shall show on the construction plans and specifications the location and type of signs to be installed. All traffic control signs shall conform to the requirements of the *South Carolina Manual on Uniform Traffic Control Devices for Streets and Highways*. All street name signs in proposed public maintained right-of-ways shall be constructed as indicated by detail 6.02.27.

C. SPECIFIC RIGHT-OF-WAY INFORMATION**1. CAUSEWAYS**

Streets to be constructed on causeways shall meet all of the requirements contained within these specifications and the causeway shall also meet the following requirements:

The minimum street centerline elevation at finish grade shall be 6.5 feet above Mean Sea Level.

The minimum side slopes shall be 2:1, preferably 3:1 (Horizontal/Vertical).

The minimum top width of the roadway shall be as defined by the road classification plus six (6) feet wide shoulders (as measured from the edge of travel way to the face of the guide rail) if SCDOT standard guide rails are constructed. Nine (9) feet wide shoulders shall be required on each side of the travel way if no guide rails are constructed.

The developer shall provide copies of the approved permits or application ID number from all applicable regulatory agencies should expanding the causeway roadbed beyond the toe of the original roadbed be required.

2. BRIDGES

Bridges shall be designed in accordance with AASHTO Standard Specifications for Highway Bridges, current edition and interims, as well as meet the following requirements:

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and include an explanation of why a typical crown roadway section cannot be used. Inverted crown roads shall only be considered for paved road surfaces.

8. SIDEWALK WITHIN PUBLICLY DEDICATED RIGHT-OF-WAY

When placed within the public right-of-way, sidewalks shall be constructed as specified below:

Asphalt Sidewalk:

Asphalt sidewalk shall have a minimum asphalt thickness of one and one-half (1½) inches and a minimum base course thickness of four (4) inches. The minimum width for sidewalks shall be four (4) feet. All work, materials, methods, and equipment, unless specified otherwise herein, shall be in accordance with Sections 306, 401, and 403 of the CTCSS.

Concrete Sidewalk:

Concrete sidewalk shall have a minimum thickness of four (4) inches except at driveways where the minimum thickness shall be six (6) inches. Transverse expansion joints shall be placed at intervals of not more than fifty (50) feet. The minimum width for sidewalks shall be four (4) feet. All work, materials, methods, and equipment, unless specified otherwise herein, shall be in accordance with Section 620 of the CTCSS.

D. STREET SURFACES TYPES**1. EARTH STREETS**

The County standard earth roadway is identical in cross section to a County standard paved road, except that roadbed stabilization may require that material be mixed into existing soil material, as needed, to a depth of six (6) inches. Crown shall be six (6) inches to achieve suitable compaction. County Public Works inspectors will determine whether the prepared subgrade material and earth road overlay soil are acceptable.

A suitable soil is required for a minimum depth of eighteen (18) inches so as to provide a street which will serve the traffic needs in extremely dry weather, normal weather, and in wet weather. Where necessary, a stabilizing type soil shall be added and properly mixed with the soil in place for a depth of not less than six (6) inches.

Earth streets, when intersecting with an existing rock or paved street, shall provide a paved apron extending to the edge of the paved street's right-of-way.

2. ROCK STREETS

The County standard rock roadway is also identical in cross section to a County standard paved road, except that on rock roadways the subgrade is mixed with

a minimum four (4) inches aggregate base course worked into the top two (2) inches of the existing subgrade, creating a six (6) inch deep compacted rock surface, meeting the CTCSS Section 306. Road crown shall be a minimum of six (6) inches. The rock material shall be crusher run granite aggregate unless otherwise approved by the Public Works Director.

Rocked streets, when intersecting with an existing paved street, shall provide a paved apron extending to the edge of the paved streets right-of-way.

3. PAVED STREETS

The County standard paved roadway is shown on Detail 6.02.01 and 6.02.02. The County standard asphalt pavement is a minimum two (2) inches compacted hot plant mix asphaltic concrete meeting the CTCSS, Section 403, type one, or equal. Asphaltic concrete material is to be placed on a minimum six (6) inch compacted base course meeting the CTCSS Section 306, and an approved subgrade (see pavement design below).

E. PAVEMENT DESIGN

1. PAVEMENT BASE AND SURFACE COURSES

The base course shall meet the CTCSS Section 306. The width of the base course shall be twelve (12) inches greater than the width of the surface course; i.e., six (6) inches on either side of the roadway. The compacted depth of the base course shall be six (6) inches or greater as approved by the Public Works Director. After the base course has been properly blended, mixed, wetted, shaped, and compacted to the approved typical section and has been seasoned sufficiently and proof-rolled, the surface course shall be applied. Proof-rolling shall be accomplished as described in Section 3.05 of the CTCSS for the proof-rolling of the subgrade excepting that minimum total weight of testing vehicle shall be in the 30-35 ton range. The surface course materials, placement, and protection shall meet the requirements of the CTCSS, Sections 401 and 403, type one. The compacted depth of the surface course shall be no less than two (2) inches or greater as approved by the Public Works Director. Weather and seasonal restrictions to placement of bituminous material are those described in Section 401.14 of the CTCSS.

2. PAVEMENT SECTION FOR TYPICAL RESIDENTIAL ROADWAY

The County standard asphalt pavement section for use on residential roadways is a minimum two (2) inches compacted hot plant mix asphaltic concrete meeting the CTCSS, Section 403, type one or equal. This material is to be placed on a minimum six (6) inches compacted base course meeting the CTCSS Section 306, and an approved subgrade. A prime coat meeting the CTCSS Sections 306.06 and 406.16 is required when the base course will not be paved within two (2) weeks.

Roadways serving large residential areas or phased subdivisions may require additional pavement design as determined by the Public Works Director.

3. PAVEMENT DESIGN FOR COMMERCIAL/INDUSTRIAL USE ROADWAYS

The design engineer shall provide a pavement design for all roadways which serve commercial and industrial uses. The design shall include at a minimum two (2) inches compacted hot plant mix asphaltic concrete meeting the CTCSS Section 403, type one or equal, and a minimum of six (6) inches compacted base course meeting the CTCSS Section 306, with an approved subgrade. The pavement design shall include information on anticipated traffic counts, traffic loadings, site specific soils, or other pertinent information as may be required by the Public Works Director. A site-specific geotechnical report prepared by a Geotechnical Engineer shall be provided to substantiate/justify the proposed design for the entire length of the roadways to be constructed. A prime coat meeting the CTCSS Sections 306.06 and 406.16 is required when the base course will not be paved within two (2) weeks.

4. ALTERNATE PAVEMENT DESIGNS

The County will consider alternate pavement materials designs. The Design Professional should present appropriate design data including laboratory tests of foundation soils to substantiate/justify the proposal.

F. ROAD CONSTRUCTION

1. SOIL TESTING

The quality of foundation soils will be determined by the Public Works Director by visual observations and adequate soil testing provided by the Design Professional. Without such testing being provided, the Public Works Director will utilize judgment and experience to determine the quality of the foundation material and shall require appropriate action including but not limited to undercutting or mucking, and replacing the excavated material with suitable earth materials. The soil testing program shall be presented to and approved by the Public Works Director prior to the beginning of the testing. The testing program shall show the number and approximate location of borings, depth of sampling, and type of test to be made. Ample notice of testing schedules shall be given and a copy of all results including recommendations shall be provided upon completion of the tests.

The testing program may establish levels or degrees of testing. For example, the testing program may call for a minimum number of tests for determination of general soil classifications and water table data for preliminary site evaluation. For the design of pavement, the testing program shall include, but is not limited to, the determination of the maximum elevation of the ground water table, the soil classification according to the Unified Soil Classification System (laboratory test determination), and the California Bearing Ratio (CBR) (laboratory test determination utilizing ninety-six [96] hour saturation), Proctor testing for determination of optimum moisture and maximum density using the modified Proctor-Test ASTM D 1557 Method A, and field moisture and density tests may be required by the Public Works Director.

2. GRADING

Streets shall be graded to the designed typical section in accordance with the approved plan and profile. Grade stakes shall be set on centerline at intervals of not more than one hundred (100) feet on straight grades and not more than fifty (50) feet on vertical curves. Additional grade stakes, may be required to ensure that the final grade matches the designed typical system.

Grading work, materials, methods, and equipment, unless specifically stated otherwise, shall be in accordance with the requirements of the CTCSS.

No base or surfacing materials shall be placed before the subgrade is inspected and approved by the Public Works Director.

In general, soils classified lower than "SC," according to the Unified Soil Classification System, are not acceptable for the upper eighteen (18) inches of the subgrade.

The compacted subgrade shall be proof-rolled prior to placement of any base or surfacing materials. Testing shall be performed in the presence of the Public Works Director. Testing procedure shall consist of driving a loaded tandem truck (10 cubic yard minimum load capacity, 20-25 ton minimum total weight), or other equivalent vehicle (as determined appropriate by the Public Works Director) at slow-walking speed longitudinally along the length of the roadway test area. Any areas exhibiting pumping or breaking of the surface shall be stabilized or removed to appropriate depth and replaced with suitable material, recompact, and retested.

3. SUBGRADE

Work shall consist of the construction and preparation of the subgrade of that part of the roadway intended to receive the base course, pavement, sidewalk, curb, curb and gutter, and/or shoulders.

Streets shall be graded to the designed typical section in accordance with the approved plan and profile, and shall be free of roots, trash, and other unsuitable materials for a minimum depth of eighteen (18) inches below the finished subgrade.

A suitable soil is required for a minimum depth of eighteen (18) inches immediately below the base course so as to provide a street which will serve the traffic needs in extremely dry weather, normal weather, and in wet weather. Where necessary, a stabilizing type soil shall be added and properly mixed with the soil in place for a depth of not less than six (6) inches.

When unstable material is encountered and it is necessary to perform mucking work, the roadway shall be mucked for its entire width, ditch line to ditch line or extending out two (2) feet in back of curbs, shall be backfilled with a suitable, stable type soil, and shall be properly compacted. All objectionable loose rock or

boulders shall be removed or broken off to a depth of not less than eighteen (18) inches below the surface of the subgrade.

The subgrade is to be sufficiently wetted and shall be compacted for a width extending two (2) feet outside the edges of the proposed pavement before the base course is placed.

The subgrade, from a distance of twenty-four (24) inches outside the area to be occupied by the pavement or curb and gutter, shall be compacted to not less than 95% of maximum density. The compaction shall be accomplished by using suitable construction procedures with the subgrade at an optimum construction moisture content. The subgrade may be wet by sprinkling to secure proper compaction. Maximum densities will be determined by ASTM D 1557 Method A.

The subgrade shall be maintained in a smooth and compacted condition, free from ruts and depressions, and shall be adequately drained. In no case shall any base, surface course, or pavement be placed on a frozen, muddy, or unstable subgrade. Storing or stockpiling of materials directly on the subgrade will not be permitted except with the approval of the Public Works Director.

4. SEEDING AND MULCHING

All unpaved areas within the right-of-way shall be seeded and mulched. The Developer shall be responsible for maintenance of such seeded and mulched areas as described in Section 7.10.22 of the CTCSS until the street and/or drainage system is accepted into the County maintenance system.

SA.4.2 DRAINAGE DESIGN

A. DESIGN METHODS AND CRITERIA

The Design Professional may use any of the generally accepted design procedures to determine runoff quantities. The Modified Rational Method or the Modified Soil Conservation Service method will be used by Charleston County Public Works Department in the review of submitted designs. The Design Professional shall submit data showing the drainage basin, the location of areas of differential imperviousness, the runoff factors for each zone of imperviousness, and the data for rainfall and time factors used in the determination of peak runoff rates. The design should be prepared considering seasonal high water table elevations. The design must take into consideration the channelization of the runoff.

B. APPROVED OUTFALLS

All street and development drainage shall be discharged into either:

A tidal stream of adequate size.

A running stream with continuous flow (freshwater creek or river) of adequate size.

An existing drainageway (pipe, ditch, or canal) of adequate size for which there is an adequate easement, and which is maintained by Charleston County or another responsible public agency.

A wetland or critical area capable of receiving the discharge without it negatively impacting any property adjacent thereto.

The outlet or receiving area must be of sufficient size and grade, etc., to receive the anticipated quantity of runoff from each contributing drainage basin along the route of the outlet in addition to the anticipated increase in quantity of runoff from the subject development. Where the proposed outlet ends at or near the South Carolina DHEC-OCRM Critical Line, the construction plans shall clearly show that there is an outlet of adequate size and slope to the final point of discharge. The entire length of the outlet, excepting any approved portions within the South Carolina DHEC-OCRM Critical Area, shall be constructed on dedicated drainage easements with cleared, sufficiently stable maintenance shelves for continued maintenance of the drainageway. The entire development's outlet, from sources of collection of runoff to final point of discharge, shall be evaluated by the Design Professional and upgraded by the developer as considered necessary by the Public Works Director at no cost to the County.

C. DRAINAGE AND OTHER WORK INVOLVING ANOTHER PUBLIC AGENCY

When drainage is discharged into a drainageway maintained by or intended to be maintained by a public agency other than Charleston County Public Works, or if work is to be done within the road right-of-way of a public agency other than Charleston County, written approval must be obtained from that public agency. A copy of this approval must be furnished to the Public Works Director prior to the work commencing.

D. RAINFALL DETERMINATION

The peak runoff rates shall be made based on the storm time/rainfall rate following a pattern Type-III Rainfall Hydrograph as defined in the Soil Conservation Service Manual TR-55.

The design recurrence interval shall be taken to be 10 years for the collector system within the subject development, 25 years for any channelized drainage flowing through the development, and 25 years for any primary outfall drainageway from the development.

Average Return Frequencies (24 hour) are defined as

1-year - 3.8 inches	2-year - 4.6 inches	5-year - 5.9 inches
10-year - 6.8 inches	25-year - 7.8 inches	50-year - 8.8 inches
100-year - 10 inches		

E. DETENTION/RETENTION POND DESIGN CRITERIA

The peak release rate of stormwater from all developments where detention is utilized shall not exceed the peak stormwater runoff rate from the area in its pre-developed state for all intensities, up to and including the twenty-five (25) year frequency storm.

The Design Professional shall provide information required to support the pond design shown. Calculations shall be signed and sealed by the Design Professional and shall include stage-storage volumes, areas, depths, summary information (to include pond crest information, outfall flow rates, and computer program information), etc. Pond design shall include the proposed static water level and the 2-year, 10-year, and 25-year frequency storm crest elevations. These elevations shall be shown on the drainage plans, as well as the proposed one (1) foot contour lines from the pond bottom to one (1) foot above the 25-year frequency storm crest elevation. Static water elevation in ponds shall be not less than three (3) feet below the finished centerline elevation of the streets in the general area and ponds shall not encroach on the street right-of-way at any time.

The design should provide outfall structures which are low maintenance in nature as approved by the Public Works Director.

The design shall provide an emergency spillway. The location, structure, invert elevations, and outlet of the emergency spillway shall be shown on the construction plans. The design shall address the 50-year and 100-year frequency storm flow rates through the emergency spillway to an approved outfall (drainage easements will be required for the emergency outfall route). Projected flood limits on downstream properties for these storm flow rates are also to be shown on the drainage plan.

All detention facilities that require public maintenance shall be provided with access for maintenance via a constructed thirty (30) foot wide drainage right-of-way from the nearest road to the facility. Plans shall include a barrier structure at the primary road right-of-way to ensure limited vehicular access. The detention facility or pond shall include a twenty (20) foot wide cleared shelf with easement around the top perimeter of the facility for maintenance access.

For all publicly maintained detention facilities, a public drainage easement shall be dedicated over the entire facility, including the outfall and emergency spillway. For privately-maintained detention facilities, a private drainage right-of-way must provide access to the pond, the ponds outfall, and all areas defined by the pond maintenance plan.

Dry ponds shall be designed with 3:1 (horizontal:vertical) side slopes and shall drain dry within seventy-two (72) hours.

Retention or wet ponds shall be designed with 3:1 (horizontal:vertical) side slopes above the static water level and 2:1 (horizontal:vertical) side slopes below the static water level, shall have a minimum depth of six (6) feet, and shall be stocked with mosquito larvae-eating fish. Charleston County Mosquito Control should be consulted regarding fish stocking information.

F. INFILTRATION/EXFILTRATION DRAINAGE SYSTEMS

Charleston County will discourage any drainage system that is dependent solely upon infiltration/exfiltration of stormwater runoff for the proper functioning of the system.

Any such system shall be approved only by specific authority of the Public Works Director.

Charleston County will not maintain or be responsible for any infiltration/exfiltration facilities. Any such facility shall be maintained by a responsible entity of, or for, the development, and arrangements for proper and perpetual maintenance shall be guaranteed to Charleston County prior to approval of the development.

G. ADDITIONAL ROAD DRAINAGE REQUIREMENTS

The Public Works Director will independently evaluate any storm drainage piping (other than cross line pipes) designed to be placed at a depth or location such that the repair of that culvert would adversely impact the flow of vehicular traffic. Culvert piping crossing under the street shall be at an angle of not more than thirty (30) degrees from the perpendicular of the street.

Pipeline discharge capacity shall exceed maximum peak runoff rate. Ponding or head pressure shall not be considered in pipeline size determination. Computations for all drainageway size determinations shall be provided to the Public Works Director. Drainageways located laterally off of the street should be piped to the back lot line or for the first one hundred fifty (150) feet from the street right-of-way line, whichever comes first.

Where a drainage outlet pipe extends into a lake or other similar outlet, riprap shall be placed under and around the end joint or joints of pipe as needed and on slopes at the end of the pipe.

Minimum longitudinal slope shall be 0.4% except where specifically approved in writing by the Public Works Director.

Submerged piping or partially submerged piping shall not be used except where specifically approved in writing by the Public Works Director. Submerged pipe systems shall require a means of accessing the submerged pipe for maintenance purposes.

Catch basins or junction boxes shall not be located within the radius portion of street intersections. No manhole covers or water valves will be located within the curb or gutter area or within the paved area of the roadway.

Two (2) feet minimum horizontal clearance between pipelines or structures shall be provided to allow for backfill and compaction operations. Reinforced concrete or riprap of a material and gradation approved by the Public Works Director shall be placed at the ends of all culverts, bends, or junction points in drainageways and/or other locations as determined by the Public Works Director (see Section 6.02, Index of Drawings).

H. ADDITIONAL DRAINAGWAY REQUIREMENTS

Where drainage is taken into an existing ditch, canal, or tidal stream by use of an open ditch or pipeline, the elevation at the bottom of the existing ditch, canal, or tidal stream at the point of entry, and approximately one hundred (100) feet upstream and downstream, shall be shown on the drainage plans. In addition, the elevation of the bottom of the inlet ditch or invert elevation of inlet pipe at the outlet end shall be shown along with the bottom width of the existing canal or tidal stream.

Where drainageways are piped, catch basins shall be provided as required to appropriately receive and discharge incoming drainage. In no case shall the catch basins be more than three hundred (300) feet apart.

Junction boxes with stubs shall be constructed at both ends of cross line pipe for cross-ditches, at outlet end of cross line pipe at outlet ditches, and at other locations as appropriate. Reinforced concrete pipe of the required size shall be used for all inlet and outlet stubs. Stub pipes of the required size shall be used to take the street ditch drainage into the junction boxes and the inlet invert of the stub shall normally be installed approximately 0.3' below the street ditch grade. Stub pipes shall be extended a minimum of twenty (20) feet from the junction box to provide maintenance vehicle access to maintenance shelves along outfall ditches.

For minor swale ditches of one (1) foot depth or less along side or rear lot lines that only drain a small interior area and where street drainage is not involved, a drainage easement not less than fifteen (15) feet in width may be utilized.

I. DRAINAGE AND EROSION CONTROL STRUCTURES AND MATERIALS

All work, material, methods, and equipment, unless otherwise specified herein, shall be in accordance with the requirements of the CTCSS.

All concrete pipes shall conform to A.S.T.M. Specifications C-76, Class III, Wall B. Joints shall conform to A.S.T.M., C-443. Jointing materials shall be all-weather preformed joint sealant.

Metal pipes shall be approved by the Public Works Director and shall be installed as per the recommendations of the manufacturer for their intended use. For metal piping subject to exposure to saltwater, only approved aluminum piping may be used.

Other piping materials shall be given consideration. Specifications should be submitted to the Public Works Director along with the design data and construction plans showing the specific intended use. Materials and methods approved by the SCDOT will be considered upon submittal of SCDOT documentation and recommendations pertaining to the use of such material.

Ample cover shall be provided to properly protect the pipelines during the time of construction as well as for designed usage. Minimum allowable cover for pipe at subgrade shall be not less than six (6) inches for paved areas and twelve (12) inches for unpaved areas and in no case less than that recommended by the manufacturer.

Minimum cover for other materials and usages shall be considered at time of submittal of construction plans to the Public Works Director.

All structures shall be shown clearly on the construction plans with details to show all lines, grades, elevations, joints, reinforcing, materials of construction, etc. All appropriate specification data shall be shown on the construction plans.

Junction boxes, curb inlets, outfall boxes, or any other enclosed drainage structure exceeding four feet, six inches (4'-6") in depth shall be constructed with interior step fixtures.

Precast concrete structures will be considered. Design and specification data should be submitted to the Public Works Director along with the design and construction plans showing the specific intended use.

A performance bond guaranteeing restoration work must be posted with Charleston County and remain in effect for a period of two (2) years from date of acceptance of the restoration work (date of release by the Director of the Department of Public Works). This bond must be in a format approved by the County Attorney and in accordance with terms and conditions of Chapter 8, Subdivision Regulations.

J. OPEN CHANNEL BAFFLES

Baffles of an approved design shall be constructed in open channels where the gradient is 0.70% or greater and shall be spaced as shown:

Gradient	Spacing
0.70% to 0.99%	100' (Max.)
1.00% to 1.49%	75' (Max.)
1.50% to 1.99%	50' (Max.)
*2.00% to 3.00%	50' (Max.)

* Where the gradient is 2.00% or greater for an open channel, additional easement width equal to the maximum depth of the channel shall be provided. For a gradient greater than 3.00%, the channel shall be piped except as otherwise approved by the Public Works Director.

K. EASEMENTS FOR STORM DRAINAGE FACILITIES

Drainage easements shall be provided for all drainage facilities intended to be included in the maintenance program of Charleston County. The easement shall provide adequate space for access to the facility; adequate space for the operations involved in cleaning, repairing, reconstructing, material storage and dewatering, and hauling materials to or from the area; adequate space for turning and maneuvering of the equipment; and adequate space for the sloshing and splashing of the materials being handled.

The portions of the easement within which the equipment is to operate shall be established to provide suitable foundation to support the equipment to be used in the maintenance operations and shall be graded to provide drainage from the working

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area but not graded to slopes or elevations causing difficulty in the operation of the maintenance equipment. Maximum lateral grade for areas in which draglines may be used in the maintenance operations shall be 5%.

Minimum drainage easement widths shall be no less than that shown as follows:

REQUIRED DRAINAGE EASEMENT WIDTHS FOR PIPED DRAINAGEWAYS

PIPE SIZE (MAXIMUM)	MINIMUM DEPTH TO INVERT	WIDTH OF DRAINAGE EASEMENT
18"	3.5'	12'
24"	5.0'	16'
42"	7.0'	20'
54"	7.0'	24'
72"	9.0'	30'

For depths greater than shown, larger pipe sizes, or multiple lines of pipe, additional easement width, as required by the Public Works Director, shall be provided. Required drainage easement widths for open ditches shall be as shown on details 6.02.20 and 6.02.21. The side slope of an open ditch shall not exceed 2:1, and, subject to soil stability, may be required to be much flatter.

ART. A.5 ENCROACHMENTS

§A.5.1 ENCROACHMENTS AND WORK WITHIN RIGHTS-OF-WAY AND DRAINAGE EASEMENTS

A. INTRODUCTION

This section is intended to provide a general guideline for the design and construction of structures which may be located within rights-of-way or drainage easements that have been or will be accepted into the Charleston County road maintenance system. No work shall be commenced until an encroachment permit for such work has been obtained from the Public Works Director.

B. ENCROACHMENT PERMITS - GENERAL

Any permanent or temporary construction or placement of any structure or object (sign, fence, etc.) within a Charleston County drainage easement or road right-of-way must receive an encroachment permit from the Public Works Director prior to beginning of work or emplacement of structure or object.

All permits will be submitted on the Charleston County APPLICATION FOR ENCROACHMENT PERMIT FORM for review by the Public Works Director. Application fee will be in accordance with current Charleston County User Fee

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schedule. Permits will be approved or denied by the Public Works Director within thirty (30) days of receipt.

If, in the opinion of Charleston County, the South Carolina Department of Transportation, or any other public agency, that it should ever become necessary to relocate or remove the encroachment, or any part thereof, due to the improvement, relocation, or widening of the road, street, drainage system, or for any other sufficient reason, such moving or removing will be done on demand of the Public Works Director at the expense of the permittee.

Adequate provisions shall be made for the protection of the traveling public at all times when accomplishing work under an encroachment permit. During the progress of the work, all necessary detours, barricades, warning signs, and flagmen will be provided by and at the expense of the permittee to ensure safety.

Restoration work shall be immediately accomplished to return the road and/or drainage system to prior condition or better. The liability of the permittee will not be released until all work is inspected and approved by the Public Works Director.

C. TYPES OF ENCROACHMENTS WITHIN PUBLIC RIGHTS-OF-WAYS AND EASEMENTS

1. SPRINKLER SYSTEMS

Water sprinkling systems shall not be permitted within the right-of-way except as specified herein. Sprinkler systems may be placed along the right-of-way immediately outside the right-of-way with appropriate easements conveyed to the agency responsible for such system. Charleston County will not accept any responsibility for any such system. At locations where water supply lines must cross street right-of-way, such facilities shall be shown on the street construction plans and specifications. Such water supply lines shall be placed a minimum of thirty-six (36) inches below centerline street finish grade elevation and shall be placed in conduit. Sprinkler systems may be approved at island locations within the right-of-way. At such locations, the curb shall be upright curb (not roll curb and gutter). The sprinkler heads shall be in a protected location as approved by the Public Works Director. An appropriate water cutoff shall be provided in an underground box outside the street right-of-way. Underdrain systems shall be placed within islands served by an irrigation system. Encroachment permits shall be required for all sprinkler systems within the right-of-way.

2. LANDSCAPING AND PLANTING

Any proposed landscaping and planting within a proposed publicly maintained right-of-way shall be located on the construction plans along with a planting schedule. Plants that may create problems with maintenance or problems with sight distances will not be permitted. Encroachment permits shall be required for all landscaping/planting within the right-of-way. Planting will not be accepted by Charleston County for maintenance; if a permanent maintenance plan is not submitted and approved by the Public Works Director, planting will not be permitted.

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3. SUBDIVISION ENTRANCE SIGNS

Subdivision name signs at entrances to developments shall be in compliance with Chapter 11, Development Standards. Building permits must be obtained prior to installation of such entrance signs. Subdivision name signs will be located outside the road right-of-way excepting those signs located within a roadway median. All signs shall be located outside of the sight easement.

Such signs, foundations for future signs, and conduit for electrification of signs shall be shown on the construction plans and an encroachment permit obtained prior to construction. Approval of the plans by the Public Works Director does not imply or guarantee the approval of other entities.

4. UTILITIES

The proposed concept for the location of all underground utility lines including water, sanitary sewer, gas, electrical, telephone, or television cables shall be shown utilizing typical street plan cross sections and profiles. Non-typical locations, such as areas around trees, shall be shown in sufficient detail for review and approval. Utility lines shall be located so that they will not interfere with the proper functioning of the drainage system. In streets where the curb and gutter section is used, underground utility main lines shall be a minimum of five (5) feet in back of the curb. In streets where the swale ditch section is used, utility main lines shall be installed not less than fifteen (15) feet from the centerline of the street and not less than five (5) feet from the edge of the pavement.

The minimum allowable cover over the top of the utility encroachment or other apparatus shall be thirty-six (36) inches. Deviations to the thirty-six (36) inch cover requirement must be presented in the cross section format along with written justification submitted to the Public Works Director for approval.

No work on utility lines within the limits of the proposed public maintained right-of-ways shall commence until the street plans showing the proposed location of the utility lines have been approved. In case any utility location is not provided, the developer shall be responsible for notifying the utility that installation work within the proposed public maintained right-of-way or drainage easement will require the approval of the Public Works Director.

Unapproved utility work within the right-of-way or drainage easement will result in an immediate cessation of inspections until such time as the utility plans have been reviewed and approved by the Public Works Director.

Ditches and trenches dug within the street right-of-way for utilities and/or other purposes shall be properly backfilled. Backfill material shall be select material, mechanically compacted in six (6) inch layers. Backfill material shall be mixed or wetted as required by the Public Works Director. Backfill under areas to be paved or areas within five (5) feet of pavement shall be compacted to no less than 95% of maximum density. Remaining areas shall be compacted to 90% of maximum density. Maximum densities will be determined by ASTM D 1557 Method A.

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Where utilities are designed to be placed at a depth or location such that the repair of that utility would adversely impact the flow of vehicular traffic, the Design Professional shall either address such concerns to the satisfaction of the Public Works Director or redesign the utility layout.

Utilities crossing under the street shall be at an angle not more than thirty (30) degrees from the perpendicular of the street.

The jacking or uncontrolled tunneling of utility lines under a paved street is not permitted. The cutting of the pavement is not permitted except under extreme circumstances and only as permitted by the Public Works Director.

Where utilities are designed to be placed at a depth or location such that the repair of that utility would adversely impact the flow of vehicular traffic, the Design Professional shall either address such concerns to the satisfaction of the Public Works Director or redesign the utility layout.

Proposed street lighting facilities shall be shown on the street construction plans submitted to the Department of Public Works for approval. Street light poles shall be placed outside the right-of-way excepting as specifically approved by the Public Works Director.

Fire hydrants shall be shown on the construction plans, located at the edge of the right-of-way within a few feet of the property corner of two adjoining lots; or located as otherwise approved by the Public Works Director.

When dry fire hydrants are required, permanent access shall be shown on the construction plans. Access design must provide adequate space and surface material for emergency vehicle maneuverability. The Design Professional shall submit written approval of the design from the local fire service provider.

Utilities other than drainage facilities will only be permitted within drainage easements upon specific written authorization by the Public Works Director.

D. ZONING PERMITS

Encroachment permit applications for signs or structures within public rights-of-way will be reviewed by the Charleston County Zoning Administrator for compliance with this ordinance. No encroachment for signs, other than traffic control, will be issued without the written approval of the Zoning Administrator. Approval by the Zoning Administrator will not ensure approval by the Public Works Director.

E. RESTORATION OF STREETS

Restoration is designed to assist in properly maintaining County roads. Any entity performing work within a County right-of-way that will damage an existing road surface or drainage system or structure must ensure that the systems will be returned to a condition equal to or better than that prior to current construction work.

Any utility, public agency, or other entity or person performing work in a County right-of-way or easement must obtain an encroachment permit prior to beginning any construction. The applicant shall furnish information on the encroachment permit application detailing all work. Details on restoration of all disturbed areas or utilities will also be provided on the encroachment permit application.

Restoration work will return the road, drainage system, and any impacted utilities to prior condition or better. The liability of the permittee will not be released until all work shall be inspected and approved by the Public Works Director.

ART. A.6 STANDARD CONSTRUCTION DETAILS

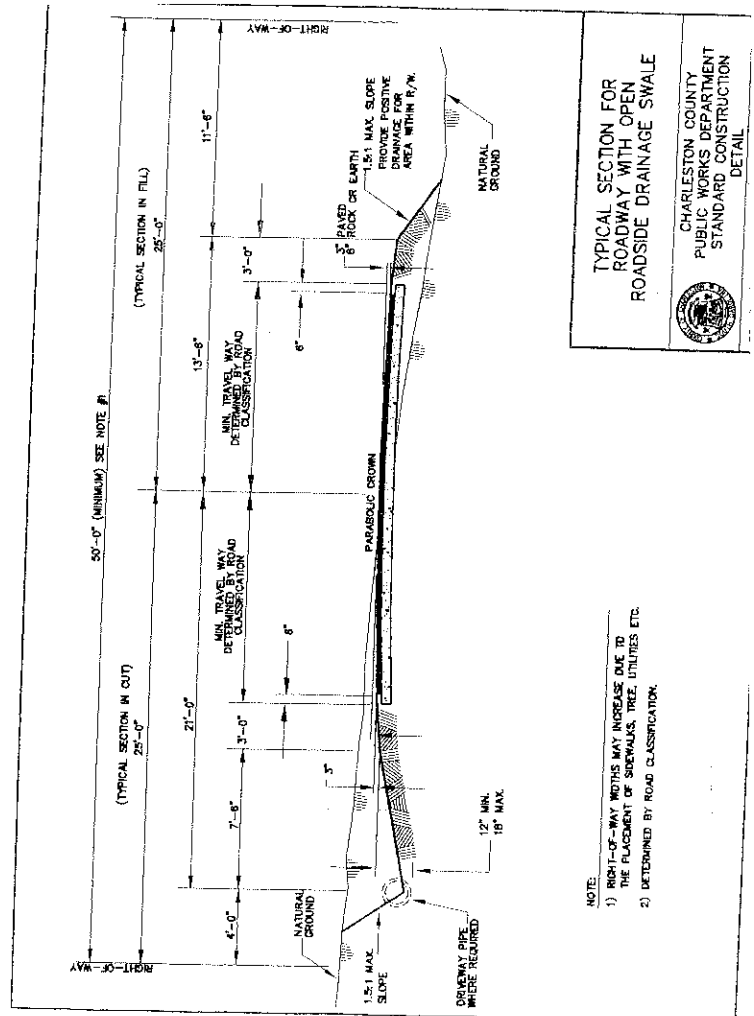
§A.6.1 INTRODUCTION

This section is intended to provide a guideline for the preparation of cross sections, construction details, and miscellaneous pictorial data required for the completion of the construction plans and specifications for road and drainage systems that are intended to be in the maintenance systems of the County, or in developments that must be constructed to County standards. These detail drawings are representative of the minimum standards required by the County. However, the design engineer is responsible for the preparation of detail drawings showing clearly what is actually expected to be constructed on the ground.

§A.6.2 INDEX OF DRAWINGS

- Typical section for roadway with open roadside drainage swale
- Typical section for roadway with concrete roll curb and gutter
- Typical section for roadway with median island
- Typical section for roadway with asphalt swale
- Typical section for roadway with inverted crown
- Pavement cut for installation of utilities
- Urban street typical cut-de-sac plan view
- Typical concrete driveway plan view and profile (roadway with open ditches)
- Typical asphalt driveway plan view and profile (roadway with open ditches)
- Typical section - concrete curb and gutter
- Concrete gutter at street intersections - plan view
- Concrete gutter at street intersections - reinforcing details
- Typical sidewalk section with curb and gutter
- Typical sidewalk section with roadside ditch
- Masonry curb inlet drainage structure detail
- Masonry junction box detail
- Grate type yard inlet detail
- Type Nine yard inlet detail
- Precast concrete storm drainage manhole
- Typical section - trapezoidal ditch
- Typical section - swale type ditch

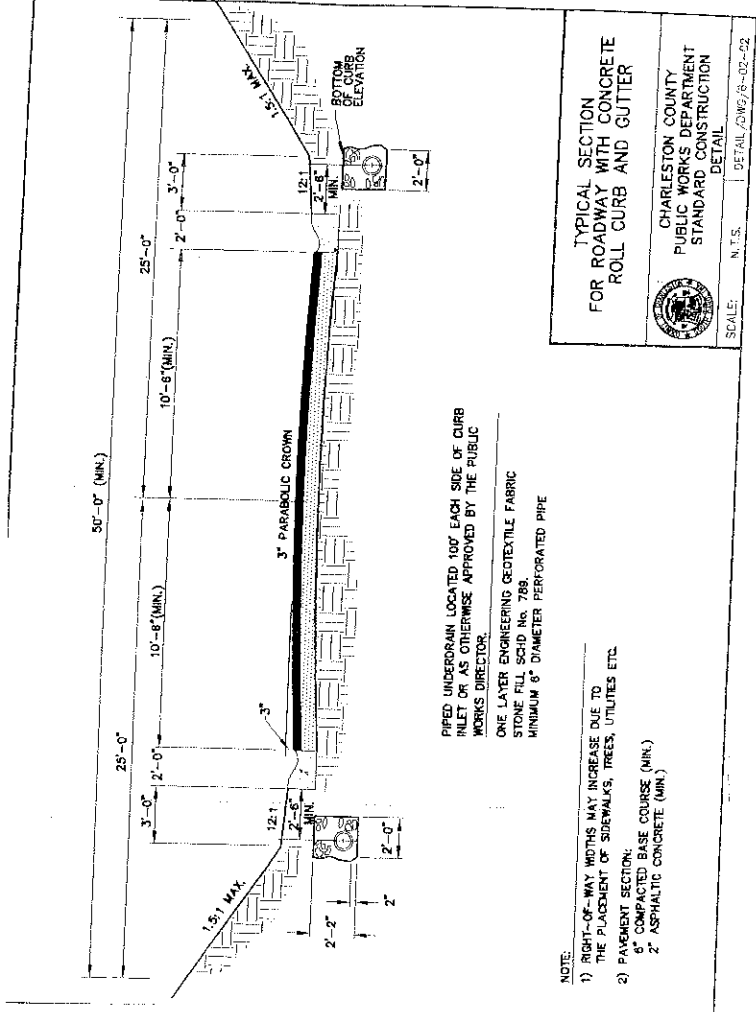
- Pipe outlet to ditch with concrete slab
- Pipe outlet to ditch with riprap
- Riprap detail at end of pipe
- Riprap detail at intersection of ditches
- Riprap detail at bend in ditch
- Typical street name sign installation



TYPICAL SECTION FOR ROADWAY WITH OPEN ROADSIDE DRAINAGE SWALE

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

NOTE:
1) RIGHT-OF-WAY WIDTHS MAY INCREASE DUE TO THE PLACEMENT OF SIDEWALKS, TREE, UTILITIES ETC.
2) DETERMINED BY ROAD CLASSIFICATION.



TYPICAL SECTION FOR ROADWAY WITH CONCRETE ROLL CURB AND GUTTER

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

SCALE: N.T.S. DETAIL/DWG/6-02-02

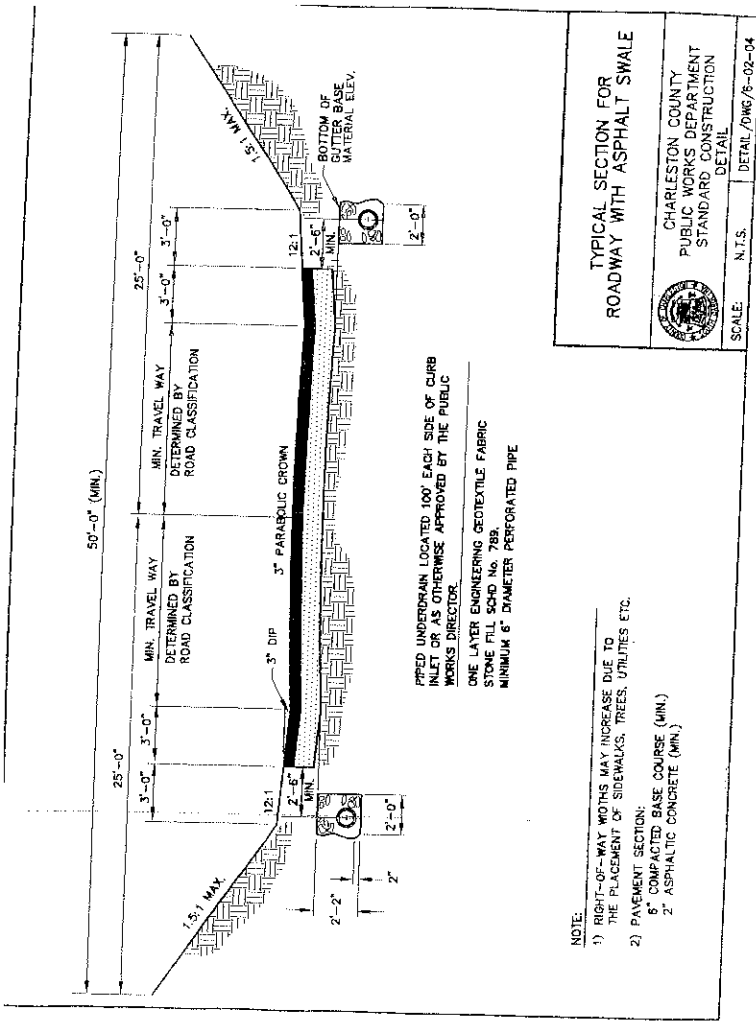
PIPED UNDERDRAIN LOCATED 100' EACH SIDE OF CURB INLET OR AS OTHERWISE APPROVED BY THE PUBLIC WORKS DIRECTOR.

ONE LAYER ENGINEERING GEOTEXTILE FABRIC

STONE FILL SCHD NO. 789.

MINIMUM 6" DIAMETER PERFORATED PIPE

- NOTE:
- 1) RIGHT-OF-WAY WIDTHS MAY INCREASE DUE TO THE PLACEMENT OF SIDEWALKS, TREES, UTILITIES ETC.
 - 2) PAVEMENT SECTION:
 - 6" COMPACTED BASE COURSE (MIN.)
 - 2" ASPHALTIC CONCRETE (MIN.)



TYPICAL SECTION FOR ROADWAY WITH ASPHALT SWALE

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

SCALE: N.T.S. DETAIL/DWG/6-02-04

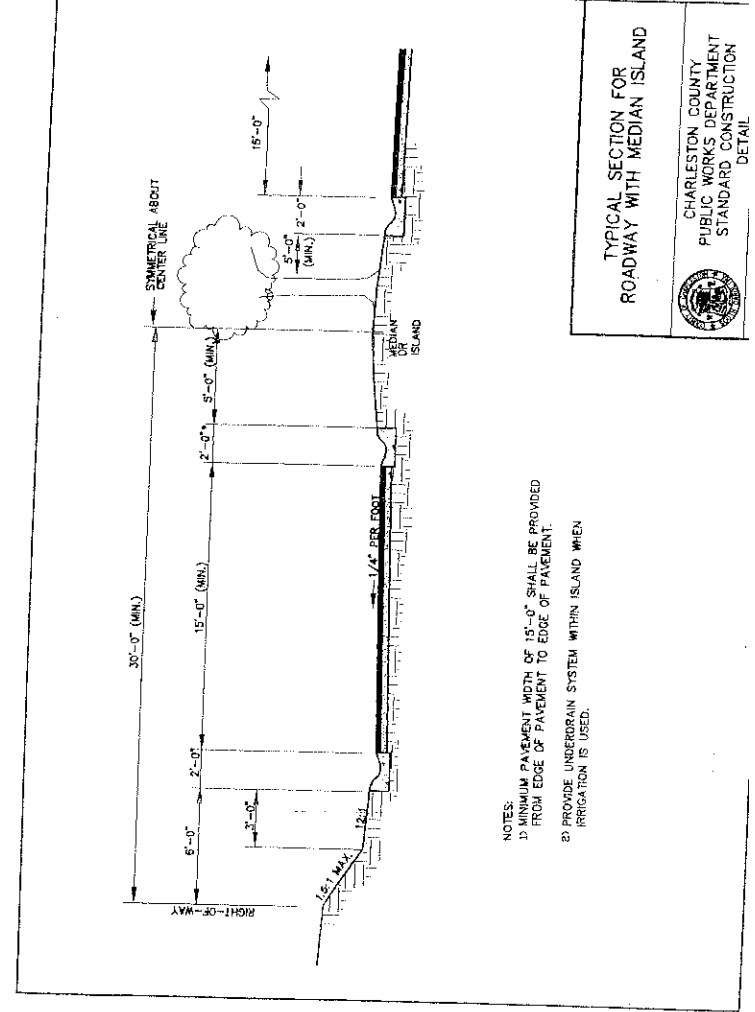
PIPED UNDERDRAIN LOCATED 100' EACH SIDE OF CURB INLET OR AS OTHERWISE APPROVED BY THE PUBLIC WORKS DIRECTOR.

ONE LAYER ENGINEERING GEOTEXTILE FABRIC

STONE FILL SCHD NO. 789.

MINIMUM 6" DIAMETER PERFORATED PIPE

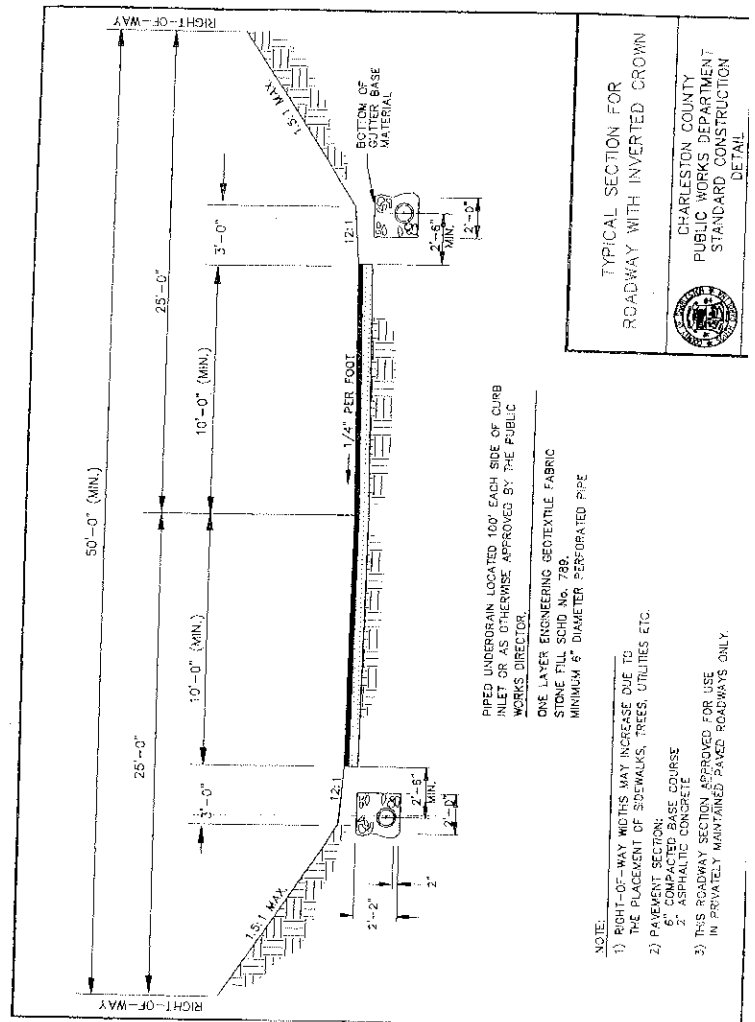
- NOTE:
- 1) RIGHT-OF-WAY WIDTHS MAY INCREASE DUE TO THE PLACEMENT OF SIDEWALKS, TREES, UTILITIES ETC.
 - 2) PAVEMENT SECTION:
 - 6" COMPACTED BASE COURSE (MIN.)
 - 2" ASPHALTIC CONCRETE (MIN.)



TYPICAL SECTION FOR ROADWAY WITH MEDIAN ISLAND

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

- NOTES:
- 1) MINIMUM PAVEMENT WIDTH OF 15'-0" SHALL BE PROVIDED FROM EDGE OF PAVEMENT TO EDGE OF PAVEMENT.
 - 2) PROVIDE UNDERDRAIN SYSTEM WITHIN ISLAND WHEN IRRIGATION IS USED.



TYPICAL SECTION FOR ROADWAY WITH INVERTED CROWN

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

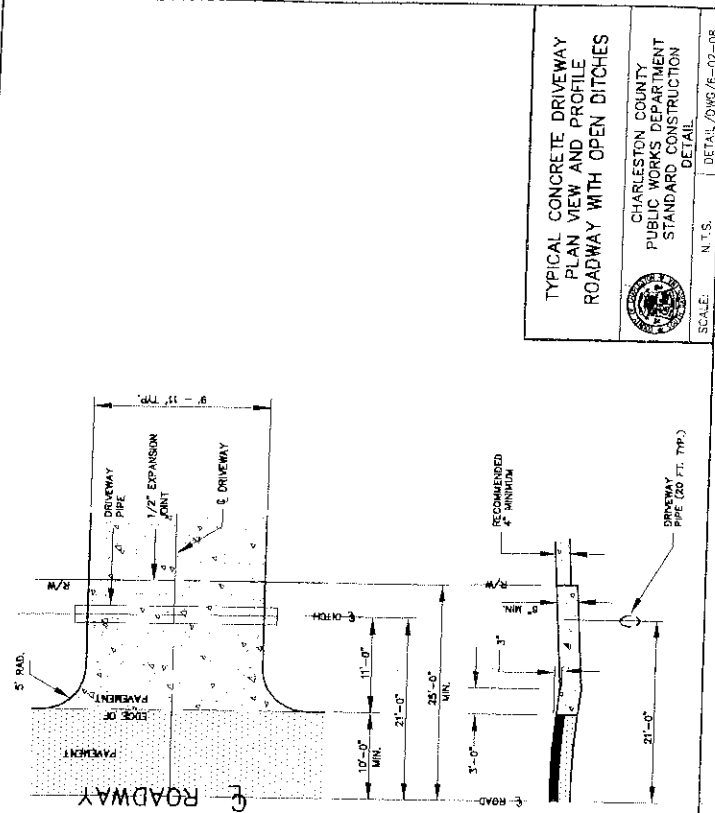
PIPED UNDERDRAIN LOCATED 100' EACH SIDE OF CURB INLET OR AS OTHERWISE APPROVED BY THE PUBLIC WORKS DIRECTOR.

ONE LAYER ENGINEERING GEOTEXTILE FABRIC

STONE FILL SCHD NO. 789.

MINIMUM 6" DIAMETER PERFORATED PIPE

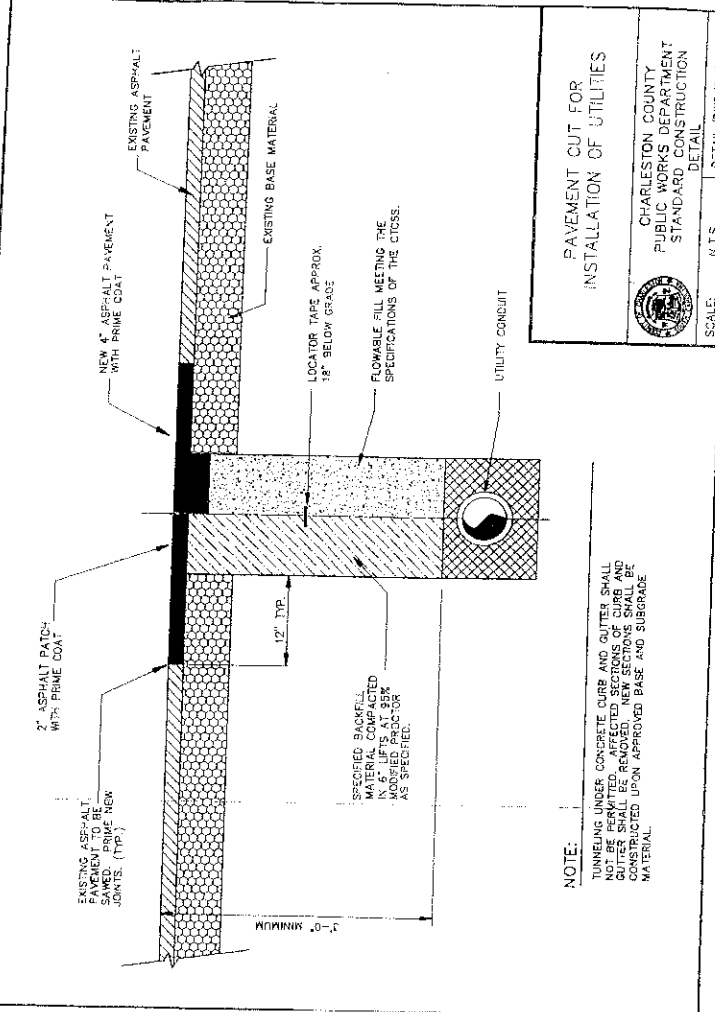
- NOTE:
- 1) RIGHT-OF-WAY WIDTHS MAY INCREASE DUE TO THE PLACEMENT OF SIDEWALKS, TREES, UTILITIES ETC.
 - 2) PAVEMENT SECTION:
 - 6" COMPACTED BASE COURSE
 - 2" ASPHALTIC CONCRETE
 - 3) THIS ROADWAY SECTION APPROVED FOR USE IN PRIVATELY MAINTAINED PAVED ROADWAYS ONLY.



TYPICAL CONCRETE DRIVEWAY
PLAN VIEW AND PROFILE
ROADWAY WITH OPEN DITCHES

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

SCALE: N.T.S. DETAIL / DWG / E-02-08

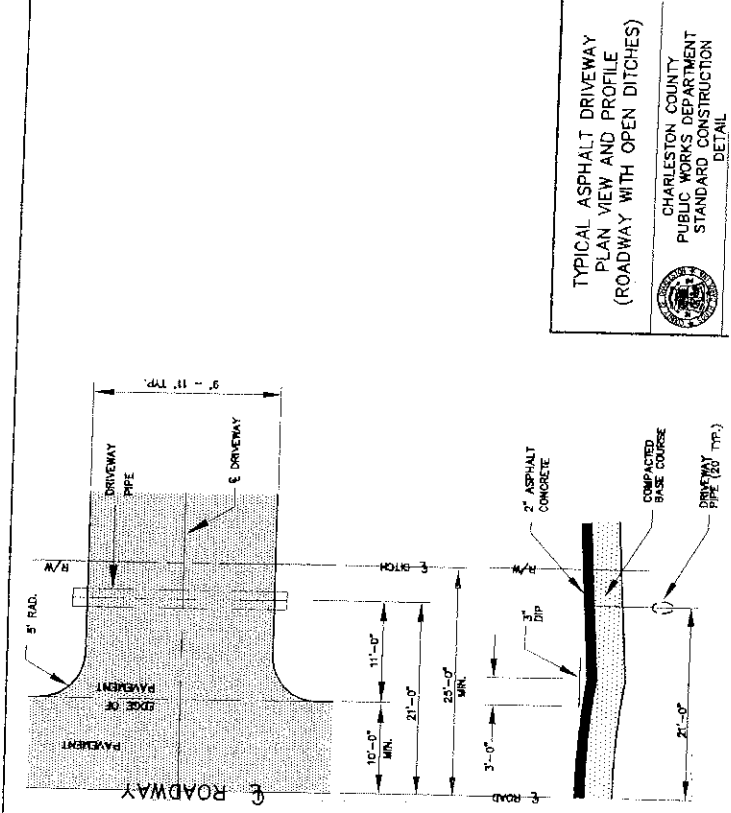


PAVEMENT CUT FOR
INSTALLATION OF UTILITIES

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

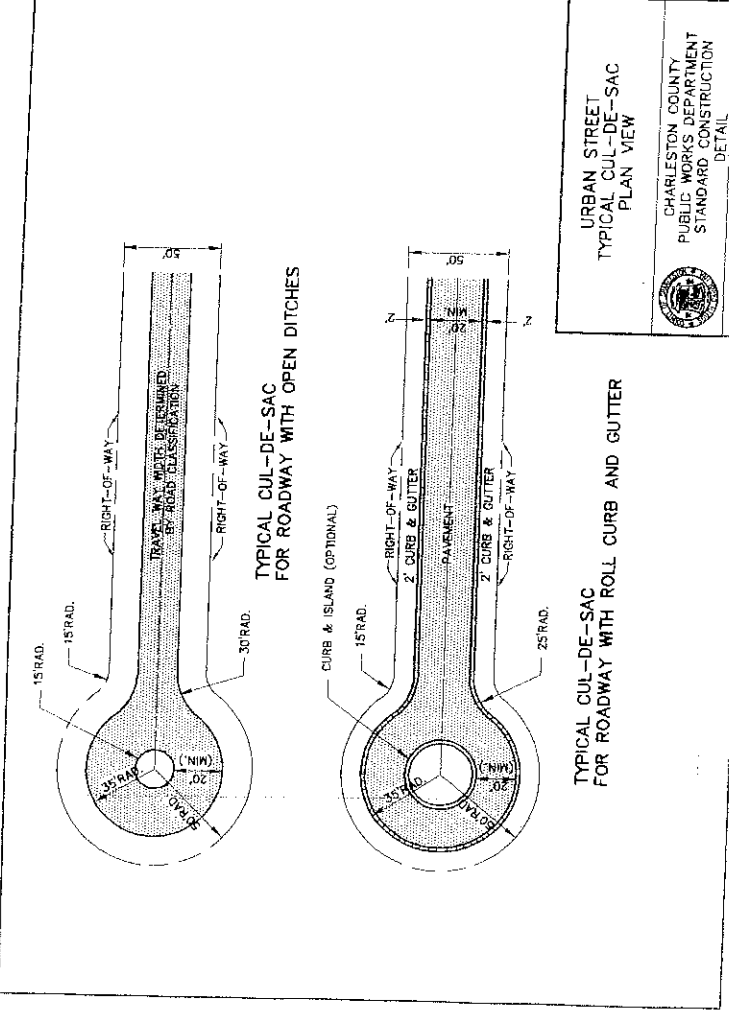
SCALE: N.T.S. DETAIL / DWG / E-02-06

NOTE:
TUNNELING UNDER CONCRETE CURB AND GUTTER SHALL NOT BE PERMITTED. ANY TUNNELING UNDER CURB AND GUTTER SHALL BE REMOVED AND RECONSTRUCTED UPON APPROVED BASE AND SUBGRADE MATERIAL.



TYPICAL ASPHALT DRIVEWAY
PLAN VIEW AND PROFILE
(ROADWAY WITH OPEN DITCHES)

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL



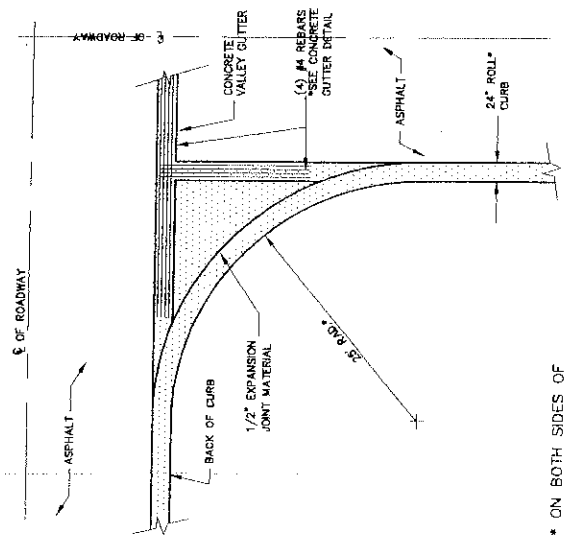
TYPICAL CUL-DE-SAC
FOR ROADWAY WITH OPEN DITCHES

TYPICAL CUL-DE-SAC
FOR ROADWAY WITH ROLL CURB AND GUTTER

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

URBAN STREET
TYPICAL CUL-DE-SAC
PLAN VIEW

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

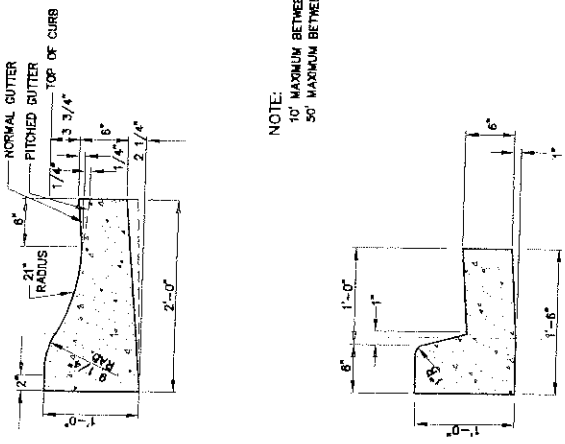


* ON BOTH SIDES OF INTERSECTION.

CONCRETE GUTTER AT STREET INTERSECTIONS - STANDARD CONSTRUCTION

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

SCALE: N.T.S. DETAIL / DWS/6-02-12



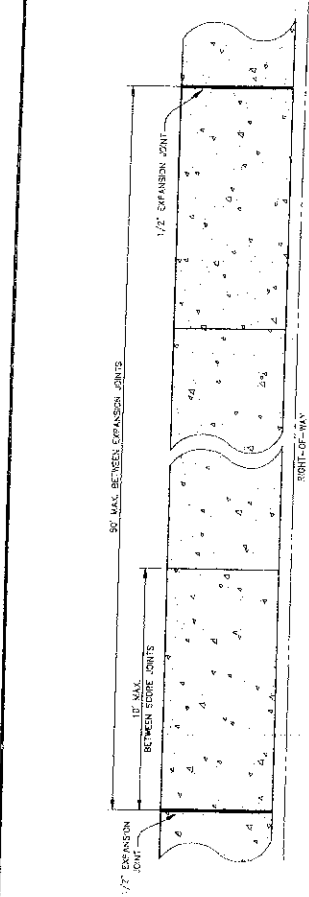
FOR USE ON ISLAND SECTIONS ONLY

NOTE:
10' MAXIMUM BETWEEN SCORE JOINTS.
50' MAXIMUM BETWEEN EXPANSION JOINTS.

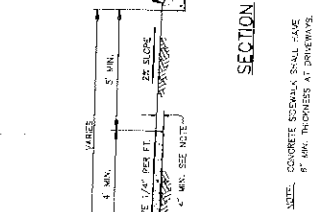
TYPICAL SECTION CURB AND GUTTER

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

SCALE: N.T.S. DETAIL / DWS/6-02-10



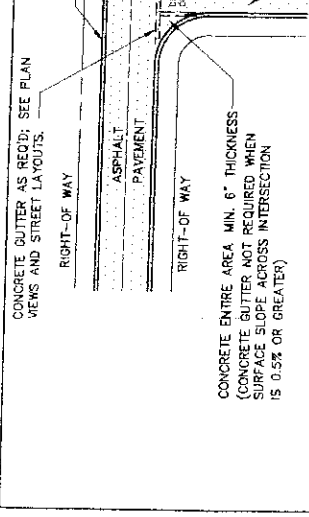
TYPICAL SIDEWALK SECTION WITH CURB AND GUTTER



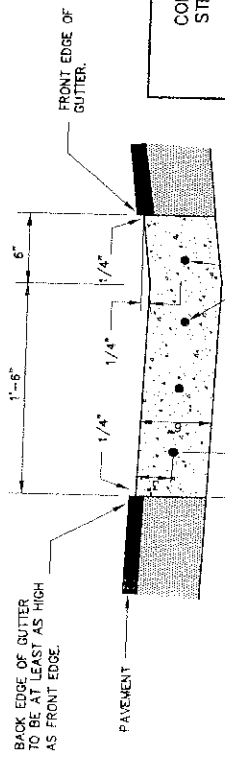
NOTE: CONCRETE SHALL HAVE 8" MIN. THICKNESS AT DRIVEWAYS.

TYPICAL SIDEWALK SECTION WITH CURB AND GUTTER

CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

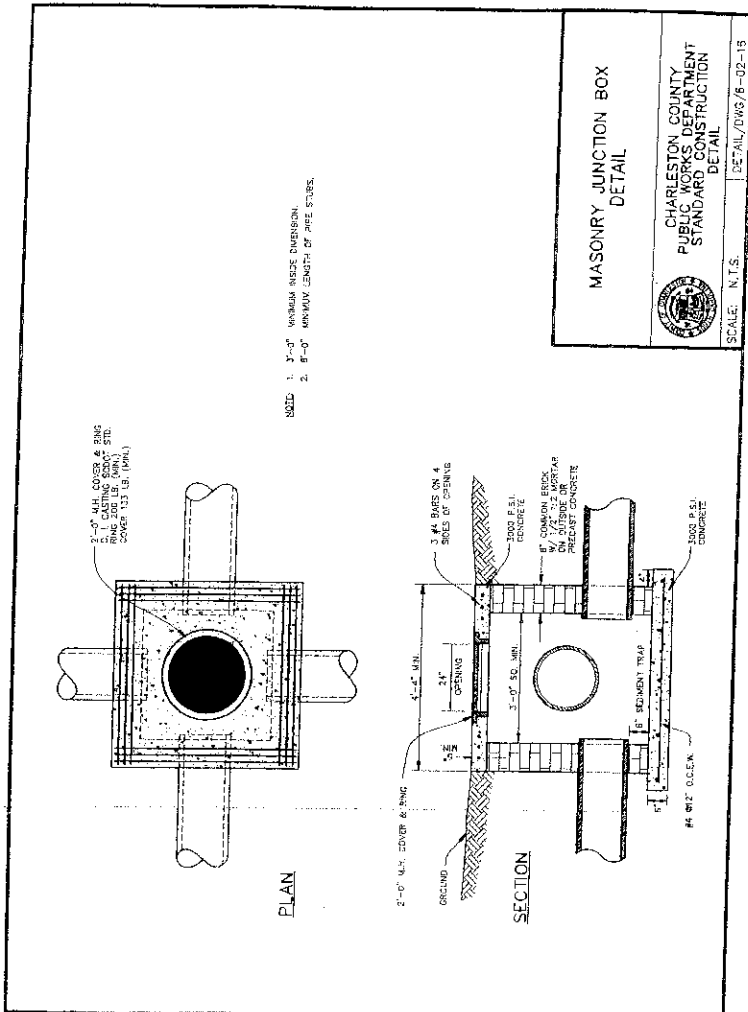


CONCRETE GUTTER AT STREET INTERSECTION



CONCRETE GUTTER AT STREET INTERSECTION PLAN VIEW

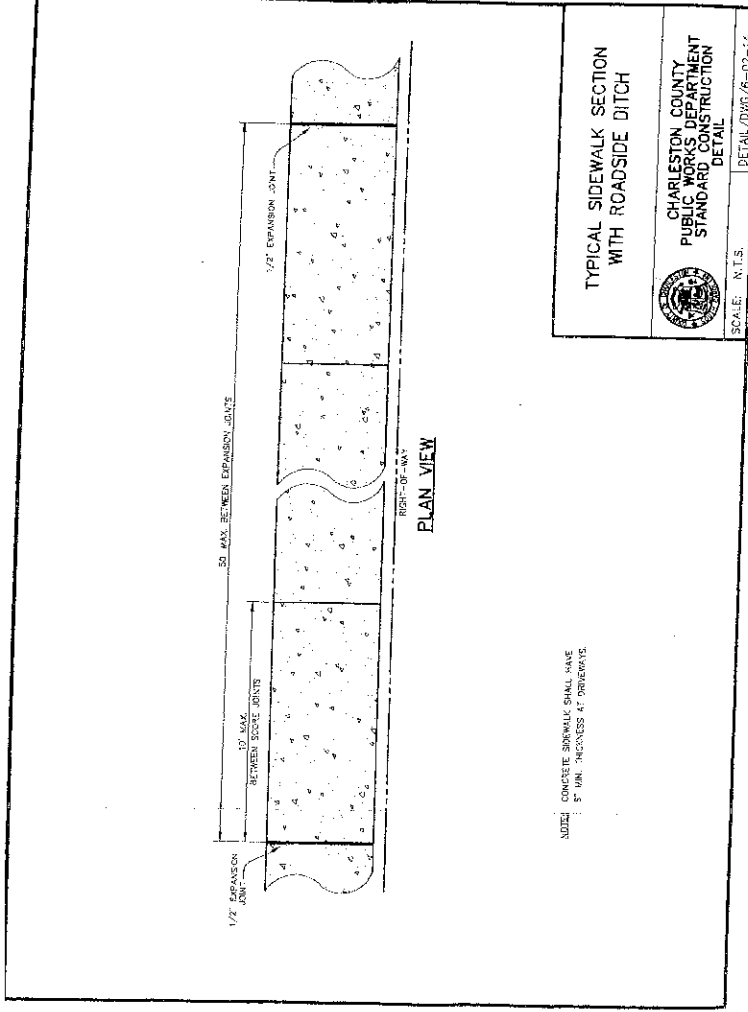
CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL



**MASONRY JUNCTION BOX
DETAIL**

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

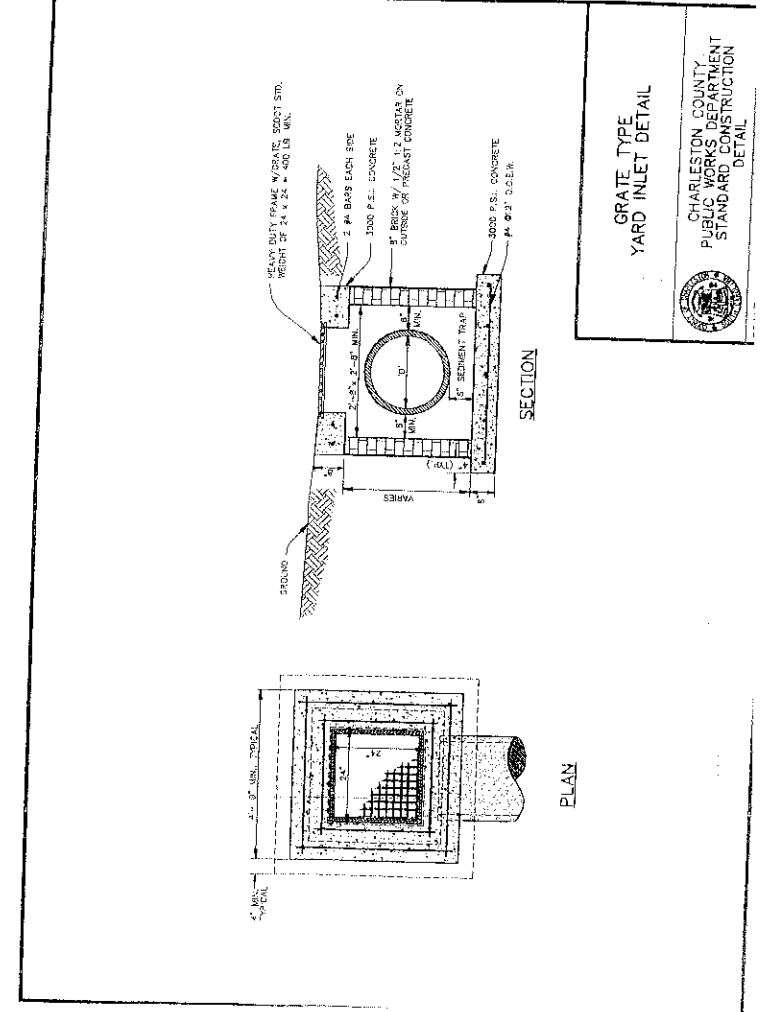
SCALE: N.T.S. DETAIL/DWG/6-02-18



**TYPICAL SIDEWALK SECTION
WITH ROADSIDE DITCH**

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

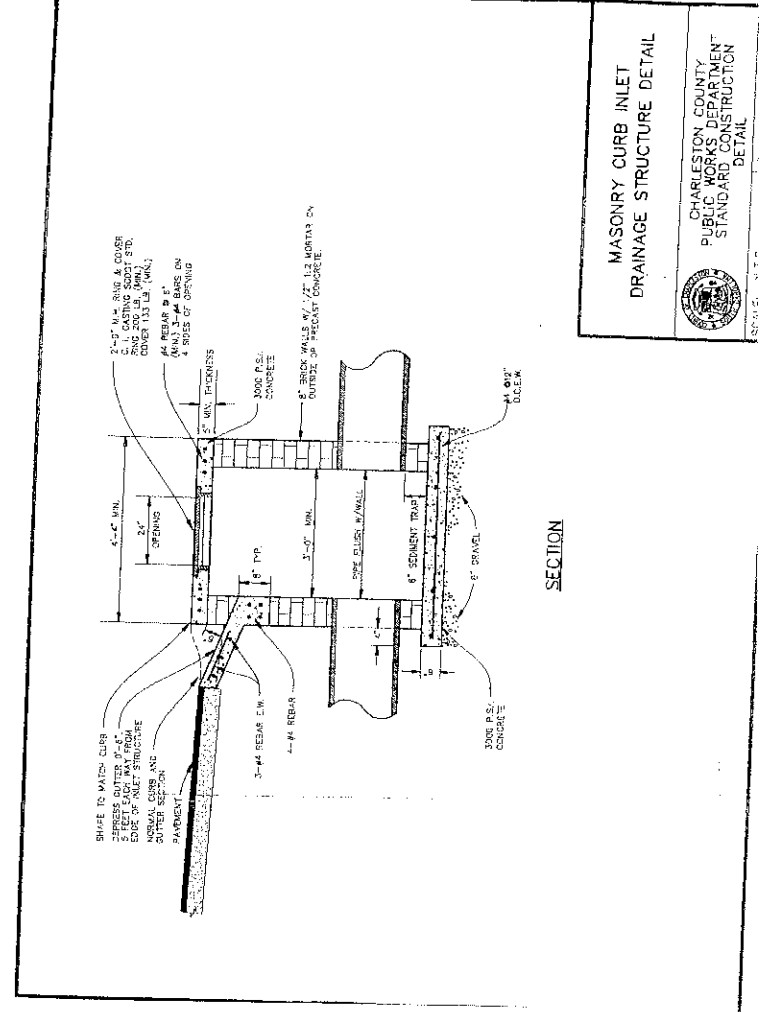
SCALE: N.T.S. DETAIL/DWG/6-02-14



**GRATE TYPE
YARD INLET DETAIL**

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

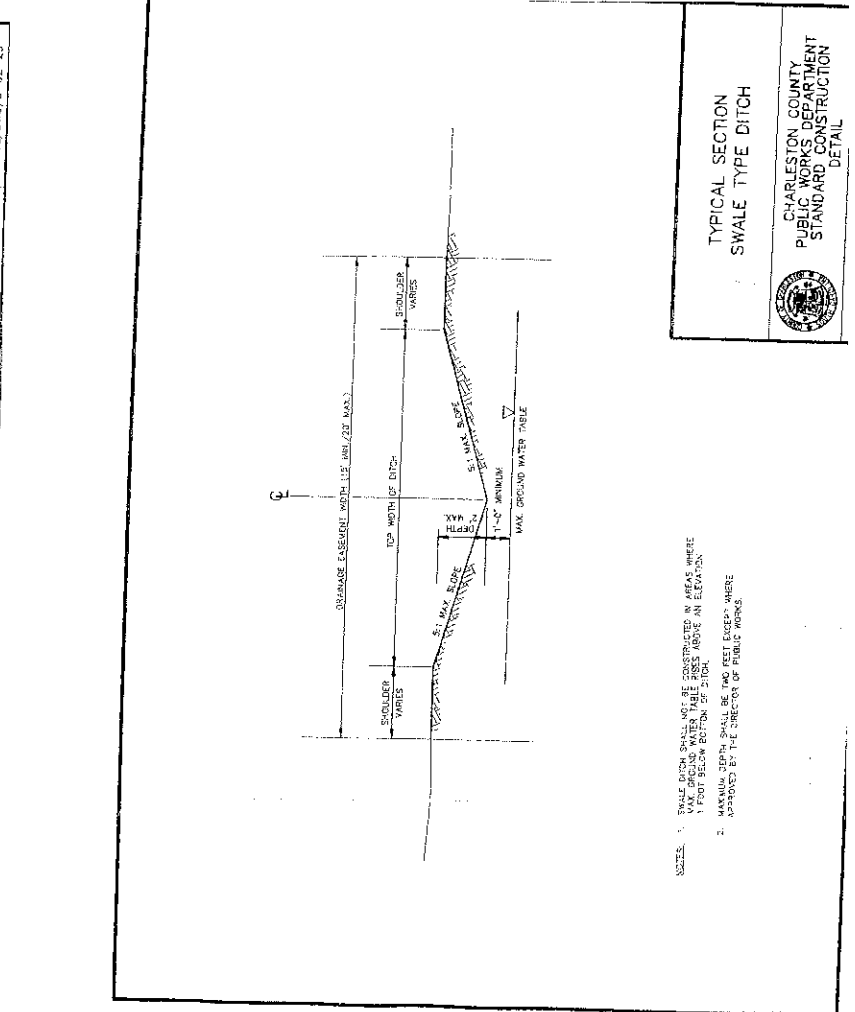
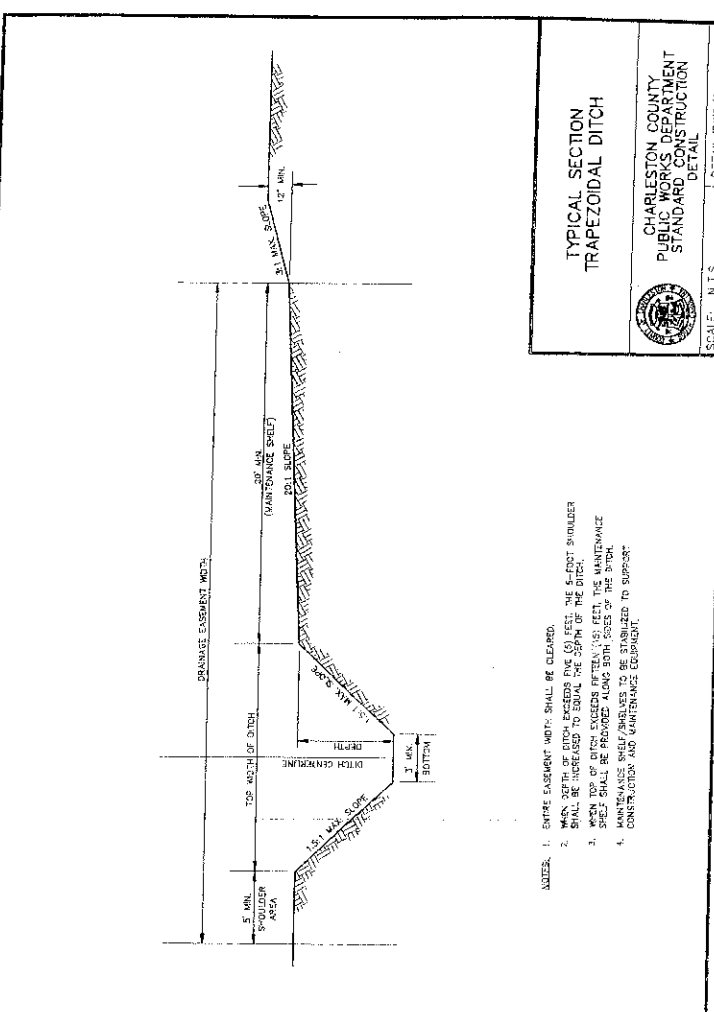
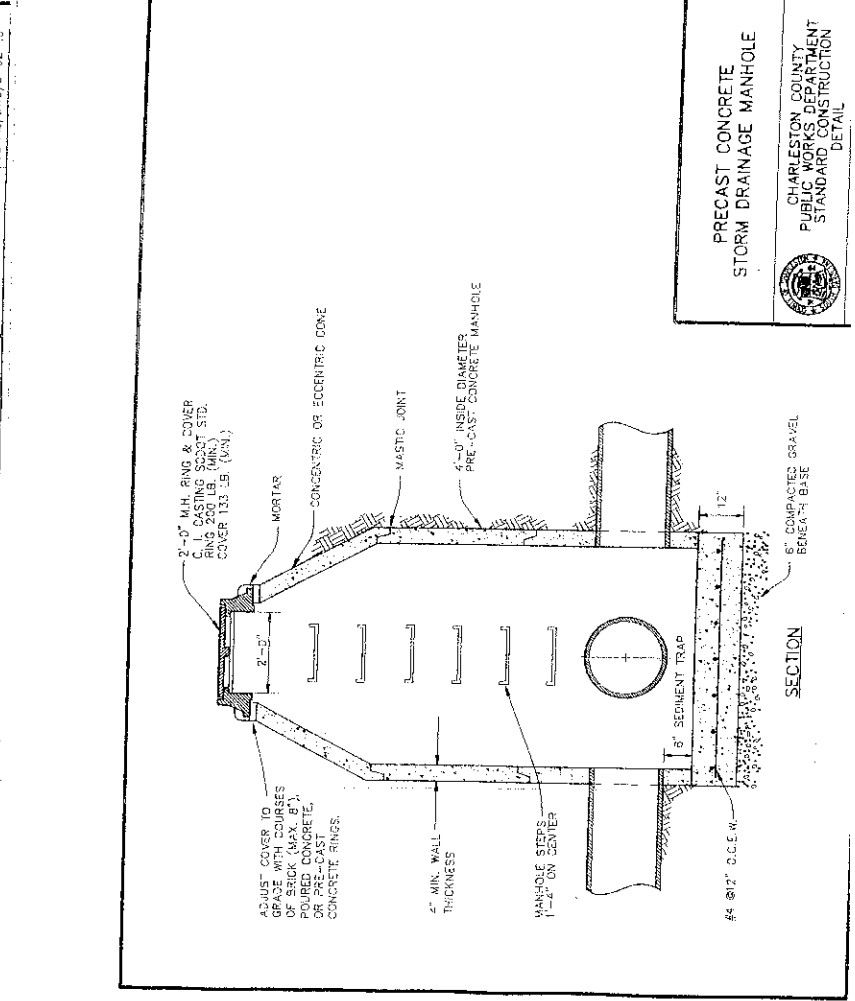
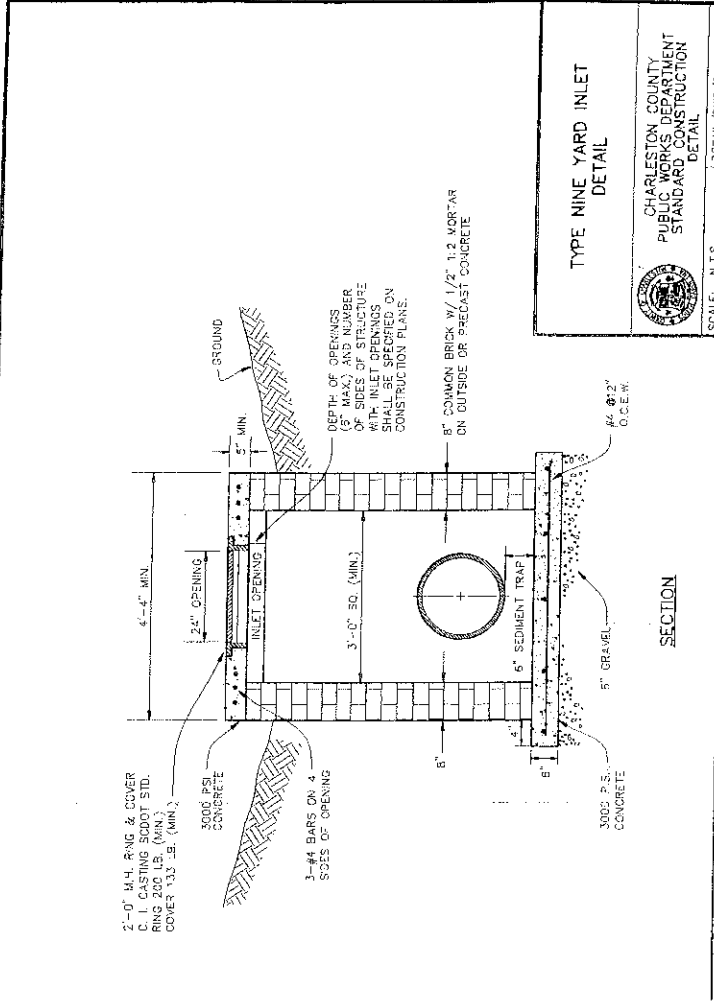
SCALE: N.T.S. DETAIL/DWG/6-02-18



**MASONRY CURB INLET
DRAINAGE STRUCTURE DETAIL**

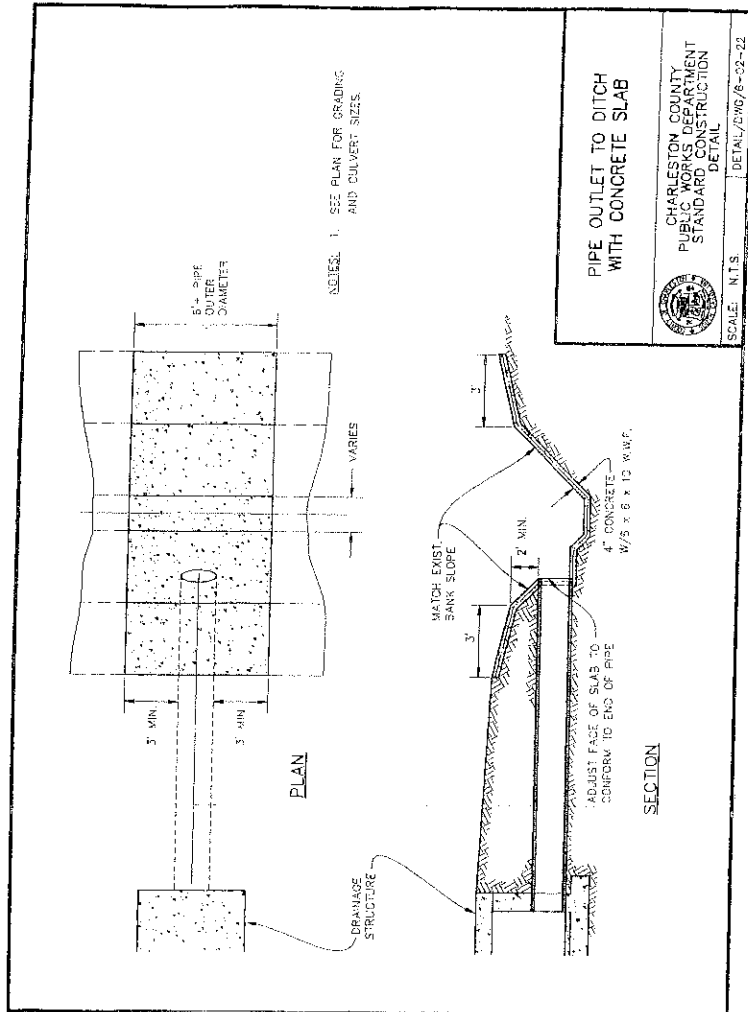
CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

SCALE: N.T.S. DETAIL/DWG/6-02-14



- NOTES:
1. ENTIRE EASEMENT WIDTH SHALL BE CLEARED.
 2. MAIN WIDTH OF DITCH INCLUDING THE BEST SHOULDER SHALL BE INCREASED TO EQUAL THE WIDTH OF THE DITCH.
 3. WHEN TOP OF DITCH EXCEEDS 1.5 FEET, THE MAINTENANCE SHELF SHALL BE PROVIDED ALONG BOTH SIDES OF THE DITCH.
 4. MAINTENANCE SHELF/SHOULDERS TO BE STABILIZED TO SUPPORT CONSTRUCTION AND MAINTENANCE EQUIPMENT.

- NOTES:
1. SWALE DITCH SHALL NOT BE CONSTRUCTED IN AREAS WHERE 1 FOOT BELOW BOTTOM OF DITCH.
 2. MAXIMUM DEPTH SHALL NOT EXCEED 12 FEET EXCEPT WHERE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

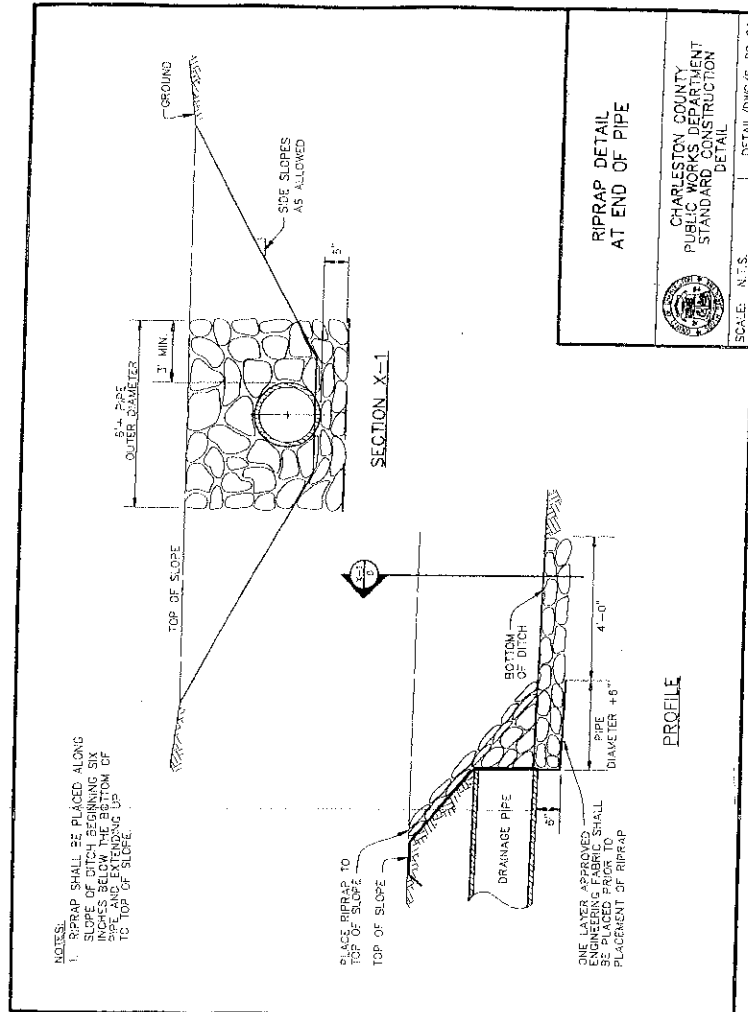


NOTES: 1. SEE PLAN FOR GRADING AND CULVERT SIZES.

PIPE OUTLET TO DITCH WITH CONCRETE SLAB



CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL
SCALE: N.T.S. DETAIL/DWG/6-02-22

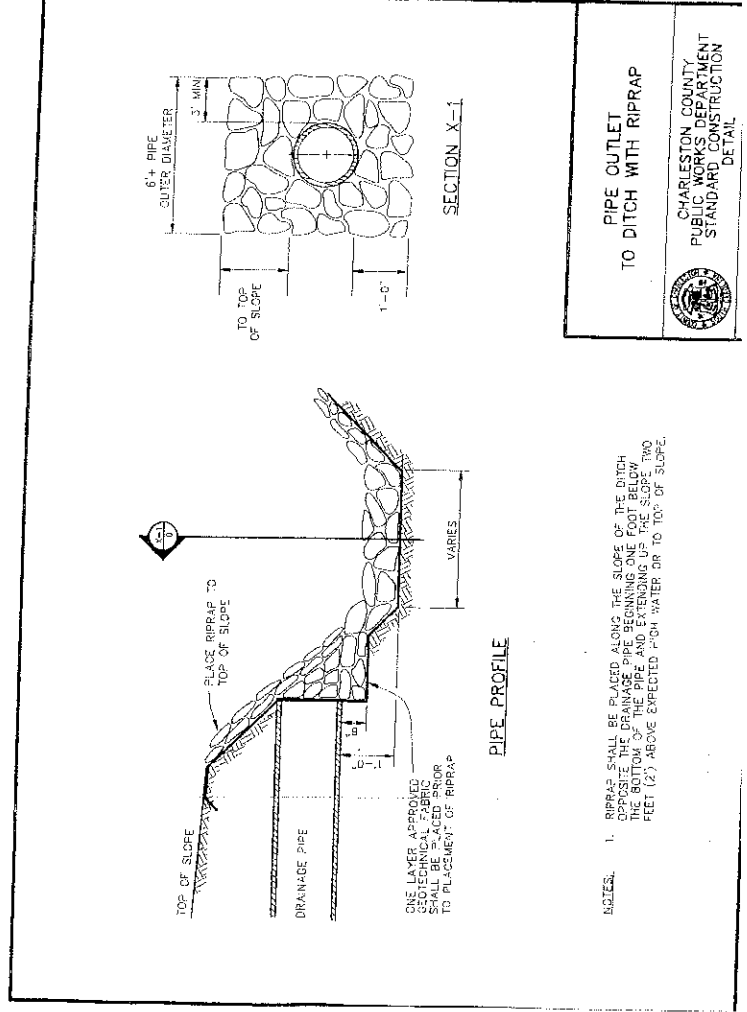


NOTES: 1. RIPRAP SHALL BE PLACED ALONG ENTIRE LENGTH BEGINNING SIX INCHES FROM BOTTOM OF PIPE AND EXTENDING UP TO TOP OF SLOPE.

RIPRAP DETAIL AT END OF PIPE



CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL
SCALE: N.T.S. DETAIL/DWG/6-02-24

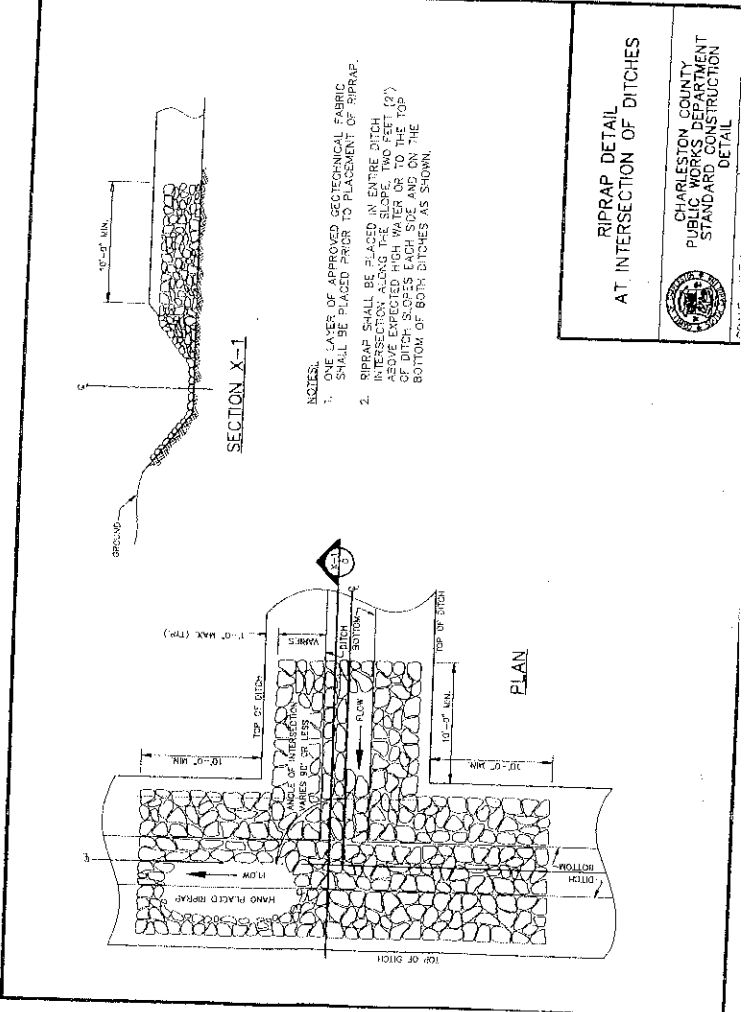


NOTES: 1. RIPRAP SHALL BE PLACED ALONG THE SLOPE OF THE DITCH OPPOSITE THE DRAINAGE PIPE BEGINNING SIX INCHES BELOW THE BOTTOM OF THE PIPE AND EXTENDING UP TO THE TOP OF THE FEET (2') ABOVE EXPECTED HIGH WATER OR TO TOP OF SLOPE.

PIPE OUTLET TO DITCH WITH RIPRAP



CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL

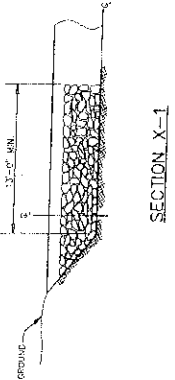


NOTES: 1. ONE LAYER OF APPROVED GEOTECHNICAL FABRIC SHALL BE PLACED PRIOR TO PLACEMENT OF RIPRAP. 2. RIPRAP SHALL BE PLACED IN ENTIRE DITCH INTERSECTION ALONG THE SLOPE, TWO FEET (2') ABOVE EXPECTED HIGH WATER OR TO THE TOP OF SLOPE, SIX FEET EACH SIDE AND ON THE BOTTOM OF BOTH DITCHES AS SHOWN.

RIPRAP DETAIL AT INTERSECTION OF DITCHES



CHARLESTON COUNTY PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAIL



SECTION X-1

CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

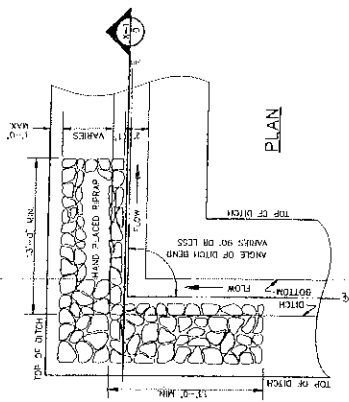


SCALE: N.T.S.

DETAIL/DWG/6-02-25

NOTES:

- ONE LAYER OF APPROVED GEOTECHNICAL FABRIC SHALL BE PLACED PRIOR TO PLACEMENT OF RIPRAP.
- RIPRAP SHALL BE PLACED ALONG SLOPE OF DITCH BEGINNING ONE FOOT (1') BELOW THE BOTTOM OF DITCH AND EXTENDING UP THE SLOPE TWO FEET (2') ABOVE EXISTING HIGH WATER OR TO THE TOP OF THE SLOPE.



PLAN

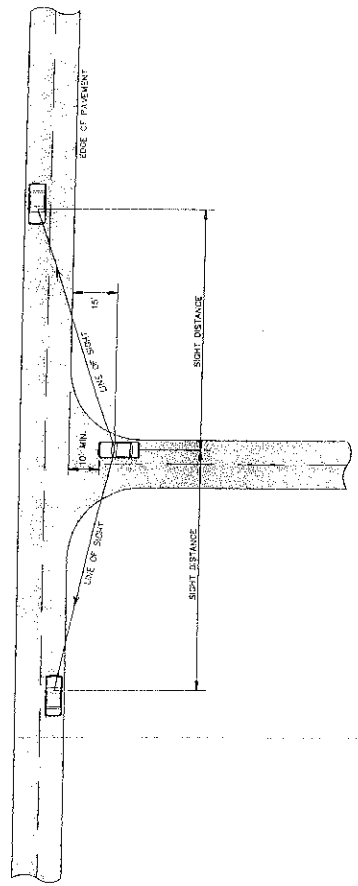
CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL



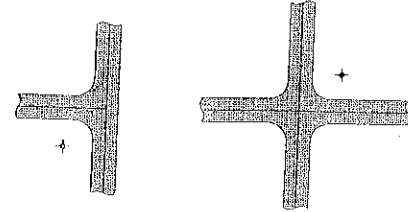
SCALE: N.T.S.

DETAIL/DWG/6-02-28

HORIZONTAL
SIGHT DISTANCE DETAIL



- NOTES:
- TRUCKS SHALL EXTEND FROM THIRTY INCHES (30") TO FIFTY FEET (15') ABOVE EDGE OF PAVEMENT.
 - SIGHT DISTANCES ARE AS INDICATED IN THE NUMBER DEVELOPMENT ORDINANCE FOR THE HIGHEST CLASSIFICATION ROADWAY.



TYPICAL STREET NAME
SIGN INSTALLATION



CHARLESTON COUNTY
PUBLIC WORKS DEPARTMENT
STANDARD CONSTRUCTION
DETAIL

STREET NAME SIGNS:

EACH SIGN PLATE SHALL BE MADE OF ANODIZED ALUMINUM 0.060 GAUGE. SIGNS SHALL BE NO. 1377 GREEN OR WHITE BACKGROUND AND FINISH FOR THE SIGNS OVER THE ENTIRE SIGN. THE LETTERS SHALL BE FABRICATED FROM 1/8\"/>

POSTS AND BRACKETS:

THE SIGN POST SHALL BE 2\"/>

INSTALLATION:

EACH INSTALLATION SHALL CONSIST OF TWO (2) DOUBLE-ENDED STREET NAME SIGNS MOUNTED ONE ABOVE THE OTHER ON TOP OF ONE GALVANIZED POST. CROSS-TYPE AND T-TYPE INTERSECTIONS SHALL BE 4\"/>

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