

**COMMONWEALTH  
PLANNED DEVELOPMENT**

For

**Berkeley Electric Cooperative Inc**

Lieben Road off of US 17-North

Mount Pleasant, S.C. 29464

LC Project B006-03

**LOCKLAIR**  

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**C O N S U L T I N G , I N C .**  

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CIVIL & ENVIRONMENTAL ENGINEERING

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### ATTACHMENTS:

APPENDIX A	Charleston County ZLDO Sections
APPENDIX B	Letters of Coordination & Approval
EXHIBIT 1	Plats, Deeds, Asbuilt
EXHIBIT 2	Zoning Map
EXHIBIT 3	Proposed Development Layouts
EXHIBIT 4	Proposed Communication Tower
EXHIBIT 5	Community Outreach Meeting Records

## I. OVERVIEW

A. PURPOSE This is an application by Berkeley Electric Cooperative (BEC) who is seeking to develop it's property along Lieben Road and Williams Mazyck Lane located in Charleston County and identified on the Tax Map as TMS 614-00-00-155 from Residential R-4 to Planned Development and a portion of TMS 614 -00-00-033 from CC to Planned Development pursuant to the Zoning Ordinance of Charleston County South Carolina ( the "Ordinance"). The name of the planned development will be Commonwealth Planned Development and will have an area of 4.13± Ac. The focus of Commonwealth PD is to allow the construction of an 2<sup>nd</sup> electric substation and support services on TMS 614-00-00-155 in order to provide service for the residents of Charleston County with in the area and to relocate an existing communications/SCADA tower on the site and to enhance the safety and security of existing substation and structures vital to the utility service needs of the surrounding community. SCE&G has to place a substation within this area in order to serve the utility demand as expected from the demand/ capacity analysis of the Charleston County Comprehensive Plan for this area of the County. This site is positioned on the border of the two electrical distribution service areas for both BEC and SCE&G. This location is the best choice because it is within close proximity to the existing Berkeley Electric Sub-Station and the necessary existing electrical tap. The proposed site is already developed. Therefore there would be less impact as to constructing the overhead transmission power lines necessary on this site as compared to an alternate site that would require more impact for overhead transmission power supply lines to be constructed. This site is manned during daytime hrs and has video security so it is a safer site choice compared to an unmanned site. This location would also co-locate the tower and sub station on the same site. This co-location of common required utilities structures is highly desirable and consistent with the goals of the Charleston County Comprehensive Plan and the Charleston County Zoning & Land Development Regulations Ordinance (ZLDR).

B. TOWER The proposed monopole type designed tower will be approximately 120' in height and comply with §6.4.5.D&F of the ZLDR. This tower will replace the existing 140' tower and would be located more central to the center of the site. This location will provide a safer location and the shape and lower height will provide a more aesthetic visual appeal. The purpose of this tower is to provide SCADA communication to the BEC's Moncks Corner monitor and control location and radio communication for field maintenance within the service area. The SCADA communication component is absolutely vital to the 24/7/365 days a year operation of the substation in order to provide the required safe distribution of power service to the local community. The new tower design will be stronger than the existing tower. The new tower will be constructed to meet or exceed the 3 sec wind gust rating of the 2003 International Building Code for the Charleston County region at this site and the "Seismic Design Parameters" of U.S. Geological Survey Building Seismic Safety Council, and Federal Emergency Management Agency. All connection wires will run inside of the monopole and no guy cables are required. The tower will be located within a chain link fenced area, have

signage for identification and emergency contact information and placed within the landscaped buffers. See Exhibit 4 for a sketch drawing of the tower.

C. OWNERSHIP The property is owned by Berkeley Electric Cooperative, PO BOX 1234, MONCK'S CORNER- SC, 29461. Lot 1 will be owned and managed by BEC. Lot 2 will be owned and managed by SCANNA /SCE&G

D. BERKELEY ELECTRIC COOPERATIVE is a not-for-profit, consumer-owned business. BEC is part of Touchstone Energy<sup>®</sup>, Electric cooperatives were formed over 60 years ago with the specific task of electrifying rural America. South Carolina's electric cooperatives now serve over half a million consumers, or nearly one third of the population of South Carolina.

E. LOCATION The property is located at Lieben Road and Williams Mazyck Lane. TMS 614-00-00-155 fronts on Lieben Road and Williams Mazyck Lane.

F. EXISTING ZONING The Commonwealth Planned Development property includes TMS 614-00-00-155, 3.32 Ac (currently zoned R-4) and a portion of TMS 614-00-00-033 (currently zoned CC) for a total area of 4.13± Acres. A copy of the Zoning Map is attached as Exhibit 2. The parcel is 100% upland. Total = 4.13± Ac. upland soils.

G. CURRENT USE OF PROPERTY The property identified as TMS 614-00-00-155 operates as an electric substation and a micro communications tower. The communication tower was constructed in 1986 and the sub station was constructed in 2005 under a special exception of the Charleston zoning regulations at the time of construction. They operate under a current utility operating permit.

H. ADJACENT PROPERTY USES The property is bounded on the north by a Community Commercial zoned parcel TMS 614-00-00-143 owned by Stephen J Hellberg. This parcel has an unoccupied/abandoned wood structure located on it. The east is bounded by Williams Mazyck Lane.(a 50 ft R/W) Across the street is single family residential dwellings zoned R-4. The south is bounded by Lieben Road.(a 66 ft wide R/W) Across the street is single family residential dwellings zoned R-4. The west is bounded by warehouse and office complex owned by Berkeley Electric Cooperative and is zoned CC.

I. COMMUNITY OUTREACH A community outreach meeting was held jointly with the neighbors of the commonwealth planned development on Oct 8, 2009. All neighbors were invited to this meeting that owned property within 300' of the planned development via USPS mail confirmation. Exhibit 5 contains a list of the attendees with signatures and includes the notes and comments addressed from that community meeting.

## II. ALLOWED USES

A. ALLOWED USES. The allowed uses within the PD are utility related office/warehouse uses, communication tower, and electrical substation. The office/ warehouse use must be used in conjunction with a utility service use only.

B. EXCEPTION TO ALLOWED USES. Residential use is not allowed due to the existing electrical sub station and communication tower on site. However, in the event both the substation and communication tower are removed from the property, residential use will be allowed. Any future residential uses shall comply with Single Family Residential 4 (R-4) Density/Intensity and Dimension Standards of the ZLDR.

## III. PROHIBITED USES

A. PROHIBITED USES All Agriculture uses, All Civic and Institutional uses, All commercial category uses, Hotels/motels Bar/ lounge, fast food restaurants, limited vehicle services, service stations and gasoline storage, consumer goods rental services, retail sales and retail or personal services categories and all other uses listed under the zoning district category heading of CN described in Table 6.1-1 of Appendix A indicated by use types definitions in Section 6.3 included in Appendix A.

B. EXCEPTION TO PROHIBITED USES. Residential use is not allowed due to the existing electrical sub station and communication tower on site. However, in the event both the substation and communication tower are removed from the property, the residential use will be allowed. Any future residential uses shall comply with Single Family Residential 4 (R-4) Density/Intensity and Dimension Standards of the ZLDR.

## IV. SETBACKS

A. GENERAL SETBACKS The property will have a 25' front yard along Lieben Road and Williams Mazyck Lane. There will be a zero (0) setback along the adjoining side and rear yards. The minimum property density and dimensional standards not listed above will be as listed in the attached Appendix A. Appendix A contains a copy of Charleston County Zoning and Land Development Ordinance Chapter 4, Sections 4.21.1-.3

B. COMMUNICATION TOWER SETBACKS The Communication tower setbacks will be 120' and the requirements are to be consistent with Appendix A. Appendix A contains a copy of the Charleston County Zoning and Land Development Ordinance Chapter 6, Sections 6.4.5 A-C. See Exhibit 4 for a sketch drawing of the tower.

C. **LOT SIZE** The lot sizes are to be consistent with Appendix A. Appendix A contains a copy of Charleston County Zoning and Land Development Ordinance Chapter 4, Section 4.21.3

V. **LIGHTING** The property will have lighting for security and maintenance. All proposed lighting will comply with Appendix A. Appendix A contains a copy of Section 9.6.4.C of the Charleston County Zoning and Land Development Ordinance under the heading of Site Lighting.

VI. **LOT DENSITY AND OPEN SPACE** The lot density will be in compliance with Table 3.2.1 of the Charleston County Comprehensive Plan. Residential development is prohibited. Therefore, open space is not required in this Planned Development. However, in the event both the substation and communication tower are removed from the property, the residential use will be allowed. Any future residential uses shall comply with Single Family Residential 4 (R-4) Density/Intensity and Dimension Standards of the Zoning & Land Development Regulations Ordinance with open space as defined in Section 4.27.7.

VII. **PARKING** The site has an existing parking lot for the office and warehouse facility. The existing parking will be in compliance with Appendix A. Appendix A contains copies of Sections 9.3.1 thru 9.3.9 of the Charleston County Zoning and Land Development Ordinance.

VIII. **SCREENING OF PARKING** The electrical substation and communication tower will have driveway access and temporary gravel parking areas for maintenance or routine inspection. All parking will have landscape screening that will comply with Appendix A. Appendix A contains a copy of Sections 9.5.1 thru 9.5.7 of the Charleston County Zoning and Land Development Ordinance.

IX. **TREE SURVEY** The property has been surveyed for protected trees and existing landscape trees. The tree survey will comply Appendix A. Appendix A contains a copy of Section 9.4 of the Charleston County Zoning and Land Development Ordinance.

**X. SCREENING AND LANDSCAPE BUFFERS** The property will have a landscaped buffer on the two sides bordering the Rights of Way; a Type S1 landscape buffer along Lieben Road and Williams Mazyck Lane. The buffers must comply with Appendix A. Appendix A contains a copy of Section 9.5.3 of the Charleston County Zoning and Land Development Ordinance.

**XI. FENCES AND WALLS** The property will have a chain link fence surrounding the substation and communication tower. The fence will not exceed 7' in height and will be placed on the inward side of the landscape buffers.

**XII. STREETS AND ROADWAYS** The property will not have any public streets or roads. There will be driveways that will allow access to the substations and communication tower for maintenance purposes. These will be maintained by the property owner of record. The driveways will be paved within the R/W of the adjoining streets. The access driveways will comply Appendix A. Appendix A contains a copy of Section 9.6.4 B of the Charleston County Zoning and Land Development Ordinance.

**XIII. PHASES OF DEVELOPMENT** The property has an electrical substation located on it and a possible future expansion of a 2<sup>nd</sup> substation and replacement of the existing communications tower to serve the area is possible subject to site plan approval. The future development will remain in a natural state until site approval and development permits are met.

**XIV. SIGNS** The substation and tower will have an informational/safety / warning signs attached to the chain link fence. The signs are 4'h x 5'w. These signs are designed for compliance with federal and state regulations. They will be located within the inward side of the landscape buffer. All signs must comply with Appendix A. Appendix A contains a copy of Section 9.11 of the Charleston County Zoning and Land Development Ordinance.

**XV. RESPONSIBILITY OF MAINTENANCE** The land owner of record is responsible for the maintenance of all drainage ponds drainage structures, and buffers that is within their property boundary.

**XVI. COMPLIANCE** The goal of these guidelines is to be compliant with Charleston County Zoning and Land Development Ordinance adopted Nov 20<sup>th</sup> 2001 and as amended by Ordinances: #1202 July 18, 2006, #1453 January 9, 2007, #1537 March 4, 2008 and #1558 June 17, 2008 and Charleston County Comprehensive Plan. Both are to be inclusive with this planned development. The provisions of Section 3.10 Variances of this Ordinance shall not apply to Commonwealth Planned Development and all major changes to this development must be approved by Charleston County Council. Tree variances may be granted in accordance with Section 3.10 and all other sections of this ordinance. Commonwealth Planned Development will also cooperate and seek the acceptance of outside agencies as described in Charleston County Zoning and Land Development Ordinance. Please see the included documentation included in Appendix B.

The Commonwealth Planned Development will fully comply with Chapter 8 (Subdivision Regulations) of the Charleston County Zoning & Land Development Regulations Ordinance.

# APPENDIX A

**This Appendix contains copies of the referenced Articles of the Charleston County Zoning and Land Development Ordinance Adopted November 20, 2001 and as amended thru August 11, 2009. These referenced articles are part of Commonwealth Planned Development regulations.**

<b>Section 4.21</b>	<b>CN, Neighborhood Commercial District</b>
<b>Section 6.1</b>	<b>Use Table</b>
<b>Section 6.2</b>	<b>Definitions</b>
<b>Section 6.3</b>	<b>Use Type</b>
<b>Table 6-1</b>	<b>Use Tables</b>
<b>Section 6.4.5</b>	<b>Communication Towers</b>
<b>Section 9.1</b>	<b>Purpose and Intent</b>
<b>Section 9.2</b>	<b>Applicability</b>
<b>Section 9.3</b>	<b>Off-Street Parking and Loading</b>
<b>Section 9.4</b>	<b>Tree Protection and Preservation</b>
<b>Section 9.5</b>	<b>Landscaping, Screening &amp; Buffers</b>
<b>Section 9.6</b>	<b>Architectural and Landscape Design Standards</b>
<b>Section 9.11</b>	<b>Signs</b>

## ARTICLE 4.21 CN, NEIGHBORHOOD COMMERCIAL DISTRICT

### §4.21.1 PURPOSE AND INTENT

The CN, Neighborhood Commercial district implements the Commercial (Urban/Suburban Area) policies of the *Comprehensive Plan*.

### §4.21.2 USE REGULATIONS

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

### §4.21.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

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

<b>CN DENSITY/INTENSITY AND DIMENSIONAL STANDARDS</b>	
<b>MINIMUM LOT AREA</b>	4,000 square feet
<b>MINIMUM LOT WIDTH</b>	15 feet
<b>MINIMUM SETBACKS</b>	
Front/Street Side	25 feet
Interior Side	10 feet
Rear	10 feet
<b>OCRM Critical Line</b>	50 feet
<b>MAXIMUM BUILDING COVER</b>	25% of lot
<b>MAXIMUM HEIGHT</b>	35 feet

### §4.21.4 OTHER REGULATIONS

Development in the CN district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

### §4.21.5 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 four nozzles, provided that five to eight 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 eight.

## **CHAPTER 6 | USE REGULATIONS**

### **ARTICLE 6.1 USE TABLE**

Principal uses shall be allowed within the base zoning districts of this Ordinance in accordance with Table 6.1.1.

### **ARTICLE 6.2 DEFINITIONS**

All of the types of uses listed in the Table 6.1-1 are defined in Chapter 12.

### **ARTICLE 6.3 USE TYPES**

This Article explains how to interpret Table 6.1-1, Use Table. The top of Table 6.1-1 contains the Zoning Districts and left side of the table contains the use types. Under the hierarchy established by this Ordinance, the RM district is the least intensive base zoning district, while the I district is the most intensive base zoning district. The uses listed in Table 6.1-1 are permitted or not permitted in each Zoning District according to the letter coding described in Sections 6.3.1 through 6.3.5 below.

#### **§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. A Use Allowed by Right is defined in Chapter 12 of this Ordinance as a principal use allowed without the requirement of a Special Exception.

#### **§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.

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 and which presently continues as an allowable use, shall not be considered a nonconforming use and shall not require a Special Exception. Such uses shall be deemed Uses Permitted by Right, as defined in Chapter 12 of this Ordinance.

Any use that was legally established before April 21, 1999 with a Conditional Use Permit and which after April 21, 1999 is located in a zoning district that requires Special Exception approval for the subject use and which presently continues as an allowable use, shall not be considered a nonconforming use and shall not require a Special Exception. Such uses shall be deemed Uses Permitted by Right, as defined in Chapter 12 of this Ordinance.

**§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.

TABLE 6.1-1	ZONING DISTRICTS																							Condition	
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR	CT	CC	I		
<b>AGRICULTURAL USES</b>																									
<b>ANIMAL PRODUCTION</b>																									
Animal Aquaculture, including Finfish Farming, Fish Hatcheries, or Shrimp or Shellfish Farming (in ponds)	A	A	A	A	C	C																			§ 6.4.1
Apiculture (Bee Keeping)	A	A	A	A	A	A																			
Horse or Other Animal Production	A	A	A	A	C	C	C	C	C																§ 6.4.1
Concentrated Animal Feeding Operations	S	S	S	S																					
<b>CROP PRODUCTION</b>																									
Greenhouse Production or Food Crops Grown Under Cover	A	A	A	A	A	A	A	A	A	A	C	C									C	C	C	§ 6.4.1	
Horticultural Production or Commercial Nursery Operations	A	A	A	A	A	A	A	A	A	S	S	S							A	A	A	A	A		
Hydroponics	A	A	A	A	A																				
Crop Production	A	A	A	A	A	A	A	A	A	A	A	A			A										
Wineries	C	C	C	C	C	C																	C	§ 6.4.60	
<b>FORESTRY AND LOGGING</b>																									
Bona Fide Forestry Operations	C	C	C	C	C	C	C	C	C															§ 6.4.23	
Lumber Mills, Planing, or Saw Mills, including Chipping or Mulching	A	A	A	A	S																		A		
<b>STABLE</b>																									
Stable	A	A	A	A	C	C	C	C	C	C	C	C												§ 6.4.20	
<b>SUPPORT ACTIVITIES FOR AGRICULTURE USES</b>																									
Agricultural Processing	C	C	C	C	S																		A	§ 6.4.1	
Agricultural Sales or Services	A	A	A	A	C															A		A	A	§ 6.4.44	
Roadside Stands, including the sale of Sweetgrass Baskets	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.58	
<b>RESIDENTIAL</b>																									
Congregate Living for the elderly (up to 15 residents)	S	S	S	S	S	S	S	S	S	S	S	S	S	S											
Duplex										S	S	S	A	A	S										
Dwelling Group	C	C	C	C	C	C	C	C	C	C	C	C	C	C							C			§ 6.4.7	
Farm Labor Housing (up to 10 residents)	C	C	C	C	C																			§ 6.4.9	
Farm Labor Housing (Dormitory) (more than 10 residents)	S	S	S	S	S																			§ 6.4.9	

TABLE 6.1-1	ZONING DISTRICTS																				Condition			
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I
Child Caring Institution (more than 20 children)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
Group Care Home, Residential (up to 20 children)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S									
Group Residential, including Fraternity or Sorority Houses, Dormitories, or Residence Halls	S	S	S	S	S	S				S	S	S	S	S										
Manufactured Housing Unit	A	A	A	A	A	C	C	C	C	C	C	C	C	C	A	A								§ 6.4.24
Manufactured Housing Unit, Replacement	A	A	A	A	A	A	A	A	A	C	C	C	C	C	A	A								§ 6.4.24
Manufactured Housing Park																A								
Multi-Family, including Condominiums or Apartments													A	A									A	
Retirement Housing	S	S	S	S	S	S	S	S	S	S	S	S	A	A	S									
Retirement Housing, Limited (up to 10 residents)	S	S	S	S	S	S	S	S	S	S	S	S	A	A	S									§ 6.4.8
Single family Attached, also known as Townhouses or Rowhouses											S	S	C	C	S					C	C	C		§ 6.4.2
Single family Detached	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	C	C	C	A	C	C	§ 6.4.25
Affordable Dwelling Units	S	S	C	C	C	C	C	C	C	C	C	C	A	A										§ 6.4.19
Single family Detached/Manufactured Housing Unit (Joint) or Two Manufactured Housing Units (Joint)	A	A	A	A	A	C	C	C	C	C	C	C												§ 6.4.24
Transitional Housing, including Homeless and Emergency Shelters, Pre-Parole Detention Facilities, or Halfway Houses													S	S			S	S	S		S	A		
<b>CIVIC / INSTITUTIONAL</b>																								
<b>COURTS AND PUBLIC SAFETY</b>																								
Court of Law	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A	A	A	A	A	A	
Correctional Institutions																								A
Parole Offices or Probation Offices																								A
Safety Services, including Emergency Medical or Ambulance Service, Fire Protection, or Police Protection	A	A	A	A	A	A	A	A	A	S	S	S	S	S	S		S	A	A	A	A	A	A	
<b>DAY CARE SERVICES</b>																								
Adult Day Care Facilities		C	C	C	C	C	S	S	S	S	S	S	S	S			S	S	A	A	A	A	A	§ 6.4.29
Child Day Care Facilities, including Group Day Care Home or Child Care Center		C	C	C	C	C	S	S	S	S	S	S	S	S			S	S	A	A	A	A	A	§ 6.4.29
Family Day Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	S	

TABLE 6.1-1	ZONING DISTRICTS																				Condition				
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I	
<b>DEATH CARE SERVICES</b>																									
<b>Cemeteries or Crematories</b>	A	A	A	A	C	C	C	C	C	C	C	C	C	C	S			A	A	A	A	A	A	A	§ 6.4.53
<b>Funeral Services, including Funeral Homes or Mortuaries</b>																		A	A	A	A		A	A	
<b>EDUCATIONAL SERVICES</b>																									
<b>Pre-school or Educational Nursery</b>		C	C	C	C	C	S	S	S	S	S	S	S	S	S		S	S	A	A	A	A	A	§ 6.4.29	
<b>School, Primary</b>		S	S	S	A	S	S	S	S	S	S	S	S	S	S						S				
<b>School, Secondary</b>		S	S	S	S	S	S	S	S	S	S	S	S	S	S						S				
<b>College or University Facility</b>		S	S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	A	A		
<b>Business or Trade School</b>		S	S	S	S	S											S	S	S	S	S	A	A		
<b>Personal Improvement Education, including Fine Arts Schools or Automobile Driving Schools</b>		S	S	S	S	S											S	S	C	C	A	A	A	§ 6.4.26	
<b>HEALTH CARE SERVICES</b>																									
<b>Medical Office or Outpatient Clinic, including Psychiatrist Offices, Abortion Clinics, Chiropractic Facilities, or Ambulatory Surgical Facilities</b>					S	S	S	S	S									A	A	A	A	A	A		
<b>Community Residential Care Facilities</b>					S	S							S	S				S		S		A			
<b>Convalescent Services, including Nursing Homes</b>					S	S	S	S	S	S	S	S	S	S	S		S	S		S		A			
<b>Counseling Services, including Job Training or Placement Services</b>					S	S											A	A	A	A	A	A	A		
<b>Intermediate Care Facility for the Mentally Retarded</b>					S	S							S	S				S		S		A			
<b>Public or Community Health Care Centers</b>					S	S	S	S	S									A	A				A		
<b>Health Care Laboratories, including Medical Diagnostic or Dental Laboratories</b>																		A	A	A	A		A	A	
<b>Home Health Agencies</b>					S	S												A	A	A	A	A	A		
<b>Hospitals, including General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric or Substance Abuse Hospitals, or Hospices</b>																		S	A	S	S		A	S	
<b>Outpatient Facilities for Chemically Dependent or Addicted Persons</b>																			S	S	S		A		
<b>Rehabilitation Facilities</b>																		S	A	A	A	A	A	A	
<b>Residential Treatment Facility for Children or Adolescents (mental health treatment)</b>					S	S							S	S				S		S		A			

TABLE 6.1-1	ZONING DISTRICTS																				Condition				
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I	
<b>MUSEUMS, HISTORICAL SITES AND SIMILAR INSTITUTIONS</b>																									
Historical Sites (Open to the Public)	C	C	C	C	C	C	C	C	C	A	A	A	A	A	A		A	A	A	A	A	A		§ 6.4.27	
Libraries or Archives		A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A			
Museums					A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A				
Nature Exhibition	C	C	C	C	C																S	A	§ 6.4.10		
Botanical Gardens	A	A	A	A	A																S	A			
Zoos			S	S	S																S	S			
<b>POSTAL SERVICE</b>																									
Postal Service, United States	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		A	A	A	A	A	A	A	§ 6.4.28	
<b>RECREATION AND ENTERTAINMENT</b>																									
Community Recreation, including Recreation Centers	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Fishing or Hunting Guide Service (Commercial)	A	A	A	A	A												A	A	A	A	A	A	A		
Fishing or Hunting Lodge (Commercial)	A	A	A	A																A					
Golf Courses or Country Clubs			C	C	C	C	C	C	C	C	C	C			C									§ 6.4.50	
Parks and Recreation	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C			C		§6.4.11	
Recreation and Entertainment, Indoor, including Billiard Parlors, Bowling Centers, Ice or Roller Skating Rinks, Indoor Shooting Ranges, Theaters, or Video Arcades																					A	C	A	§ 6.4.30	
Recreation and Entertainment, Outdoor, including Amusement Parks, Fairgrounds, Miniature Golf Courses, Race or Go-Cart Tracks, or Sports Arenas			C	C																	C		C	§ 6.4.11	
Drive-In Theaters																					C		C	A	§6.4.6 §6.4.11
Golf Driving Ranges			S	S	S	S	S	S	S															§6.4.11	
Outdoor Shooting Ranges	C	C	C	C																				§6.4.11	
Recreation or Vacation Camps	C	C	C	C	C																			§6.4.11	
<b>RELIGIOUS, CIVIC, PROFESSIONAL AND SIMILAR ORGANIZATIONS</b>																									
Business, Professional, Labor, or Political Organizations																	A	A	A	A	A	A	A		
Social or Civic Organizations, including Youth Organizations, Sororities, or Fraternities			S	S	S	S	S	S	S	S	S	S	S	S	S		S	S	A	A	A	A	A		
Religious Assembly	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.13	
Social Club or Lodge			S	S	S	S	S	S	S	S	S	S	S	S		S	S	A	A	A	A				

TABLE 6.1-1	ZONING DISTRICTS																							Condition	
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR	CT	CC	I		
<b>UTILITIES AND WASTE-RELATED USES</b>																									
<b>Utility Service, Major</b>	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§6.4.21 §6.4.17	
Electric or Gas Power Generation Facilities	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§6.4.21 §6.4.17	
Utility Substation	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Electrical or Telephone Switching Facility	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Sewage Collector or Trunk Lines	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Sewage Disposal Facilities	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.17	
Utility Pumping Station	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Water Mains	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Water or Sewage Treatment Facilities	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
Water Storage Tank	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.21	
<b>Utility Service, Minor</b>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	A	§ 6.4.31	
Electric or Gas Power Distribution	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	A	§ 6.4.31	
Sewage Collection Service Line	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	A	§ 6.4.31	
Water Service Line	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	A	§ 6.4.31	
<b>Waste-Related Uses</b>																								S	
Hazardous Waste Treatment or Disposal																								S	
Nonhazardous Waste Treatment or Disposal																								S	
Septic Tank Installation, Cleaning, or Related Services																							S	S	
Solid Waste Combustors or Incinerators, including Cogeneration Plants																								S	
Solid Waste Disposal Facility (Public or Private)	C																						C	§ 6.4.51	
Waste Collection Services																								S	
Waste Transfer Facilities																								S	
<b>COMMERCIAL</b>																									
<b>ACCOMMODATIONS</b>																									
<b>Bed and Breakfast Inns</b>	C	C	C	C	C	C	S	S	S	S	S	S	A	A	S		C	C	C	C	C	C		§ 6.4.4	
<b>Hotels or Motels</b>																		S	A	A		A	A		
<b>Rooming or Boarding Houses</b>													A	A				S	A	A	A	A			
<b>RV (Recreational Vehicle) Parks or Campgrounds</b>	S	S	S	S	S																			§ 6.4.12	
<b>ANIMAL SERVICES</b>																									
<b>Kennel</b>	A	A	A	A	C	C	S	S	S													S		§ 6.4.54	
<b>Pet Stores or Grooming Salons</b>																					C	S	A	A	§ 6.4.32

TABLE 6.1-1	ZONING DISTRICTS																				Condition					
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I		
<b>Small Animal Boarding</b> (enclosed building)	A	A	A	A	C	C	C	C	C												C	S	A	A	§ 6.4.32	
Veterinary Services	A	A	A	A	S	S													C	C	C	A	A	A	§ 6.4.32	
<b>FINANCIAL SERVICES</b>																										
<b>Banks</b>																		C	C	C	C		A	A	§ 6.4.33	
<b>Financial Services</b> , including Loan or Lending Services, Savings and Loan Institutions, or Stock and Bond Brokers																		C	C	C	C		A	A	§ 6.4.33	
<b>FOOD SERVICES AND DRINKING PLACES</b>																										
<b>Bar or Lounge</b> (Alcoholic Beverages), including Taverns, Cocktail Lounges, or Member Exclusive Bars or Lounges																				S	S	S	S	S		
<b>Catering Service</b>		S	S	S	S	S	S	S	S	S	S	S	S	S	S			C	C	C	C	A	A	A	§ 6.4.34	
<b>Restaurant, Fast Food</b> , including Snack or Nonalcoholic Beverage Bars																			C	C	C	C	C	§ 6.4.15		
<b>Restaurant, General</b> , including Cafeterias, Diners, Delicatessens, or Full-Service Restaurants																		C	C	C	C	C	C	§ 6.4.15		
<b>Sexually Oriented Business</b>																							C	§ 6.4.18		
<b>INFORMATION INDUSTRIES</b>																										
<b>Communication Services</b> , including Radio or Television Broadcasting Studios, News Syndicates, Film or Sound Recording Studios, Telecommunication Service Centers, or Telegraph Service Offices																			S	S	S	S	A	A		
<b>Communications Towers</b>	C	C	C	C															C	C	C		C	C	§ 6.4.5	
<b>Data Processing Services</b>																			A	A	A	A	A	A		
<b>Publishing Industries</b> , including Newspaper, Periodical, Book, Database, or Software Publishers																			A	A	A	A	A	A		
<b>OFFICES</b>																										
<b>Administrative or Business Office</b> , including Bookkeeping Services, Couriers, Insurance Offices, Personnel Offices, Real Estate Services, Secretarial Services or Travel Arrangement Services																			C	C	C	C	A	A	A	§ 6.4.35
<b>Government Office</b>																			C	C	C	C	A	A	A	§ 6.4.35
<b>Professional Office</b> , including Accounting, Tax Preparation, Architectural, Engineering, or Legal Services																			C	C	C	C	A	A	A	§ 6.4.35

TABLE 6.1-1	ZONING DISTRICTS																				Condition						
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I			
<b>OTHER NONRESIDENTIAL DEVELOPMENT</b>																											
Convention Center or Visitors Bureaus																		S	S	S	A	A	A	A			
Heavy Construction Services or General Contractors, including Paving Contractors, or Bridge or Building Construction																									A		
Office/Warehouse Complex																						S	A	A			
Billboard																								A	§ 9.11.3		
Special Trade Contractors (Offices/Storage)																					C	S	A	A	§ 6.4.36		
Building Equipment or other Machinery Installation Contractors																					C	S	A	A	§ 6.4.36		
Carpentry Contractors																					C	S	A	A	§ 6.4.36		
Concrete Contractors																					C	S	A	A	§ 6.4.36		
Drywall, Plastering, Acoustical or Insulation Contractors																					C	S	A	A	§ 6.4.36		
Electrical Contractors																					C	S	A	A	§ 6.4.36		
Excavation Contractors																					C	S	A	A	§ 6.4.36		
Masonry or Stone Contractors																					C	S	A	A	§ 6.4.36		
Painting or Wall Covering Contractors																					C	S	A	A	§ 6.4.36		
Plumbing, Heating or Air-Conditioning Contractors																					C	S	A	A	§ 6.4.36		
Roofing, Siding or Sheet Metal Contractors																					C	S	A	A	§ 6.4.36		
Tile, Marble, Terrazzo or Mosaic Contractors																					C	S	A	A	§ 6.4.36		
<b>PARKING, COMMERCIAL</b>																											
Parking Lots																					A	A	A	C	A	A	§ 6.4.37
Parking Garages																					A				A	A	
<b>RENTAL AND LEASING SERVICES</b>																											
Charter Boat or other Recreational Watercraft Rental Services			C	C	C																	S		A		Art. 5.3	
Commercial or Industrial Machinery or Equipment Rental or Leasing																								A	A		
Construction Tools or Equipment Rental																							A	A	A		
Consumer Goods Rental Centers																							A	A	A		

TABLE 6.1-1	ZONING DISTRICTS																				Condition					
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I		
<b>Consumer Goods Rental Service</b> , including Electronics, Appliances, Formal Wear, Costume, Video or Disc, Home Health Equipment, Recreational Goods, or other Household Items																				C	C	A	A		§ 6.4.38	
<b>Heavy Duty Truck or Commercial Vehicle Rental or Leasing</b>																							A	A		
<b>Self-Service Storage / Mini Warehouses</b>																					C		A	A		§ 6.4.16
<b>Vehicle Rental or Leasing</b> , including Automobiles, Light or Medium Duty Trucks, Motorcycles, Moving Vans, Utility Trailers, or Recreational Vehicles																						A	A	A		
<b>REPAIR AND MAINTENANCE SERVICES</b>																										
<b>Boat Yard</b>		C	C	C	C	S																	C	C		§ 6.4.39 Art. 5.3
<b>Repair Service, Consumer</b> , including Appliance, Shoe, Watch, Furniture, Jewelry, or Musical Instrument Repair Shops																				C	C		A	A		§ 6.4.40
<b>Repair Service, Commercial</b> , including Electric Motor Repair, Scientific or Professional Instrument Repair, Tool Repair, Heavy Duty Truck or Machinery Servicing and Repair, Tire Retreading or Recapping, or Welding Shops																					S	S	A	A		
<b>Vehicle Repair, Consumer</b> , including Muffler Shops, Auto Repair Garages, Tire or Brake Shops, or Body or Fender Shops																					S	C	A	A		§ 6.4.22
<b>Vehicle Service, Limited</b> , including Automotive Oil Change or Lubrication Shops, or Car Washes																				C	C	C	A	A		§ 6.4.22
<b>RETAIL SALES</b>																										
<b>Nonstore Retailers</b>																							A	A		
Direct Selling Establishments																							A	A		
Electronic Shopping or Mail-Order Houses																							A	A		
Fuel (except liquefied petroleum gas) Dealers, including Heating Oil Dealers																								A		
Liquefied Petroleum Gas (Bottled Gas) Dealers																							A	A		§ 6.4.41
Vending Machine Operators																							A	A		

TABLE 6.1-1	ZONING DISTRICTS																				Condition				
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I	
<b>Building Materials or Garden Equipment and Supplies Retailers</b>																				C	C		A	§ 6.4.42	
Hardware Stores																				C	C	C	A	§ 6.4.42	
Home Improvement Centers																							A		
Garden Supplies Centers																				C	C		A	§ 6.4.42	
Outdoor Power Equipment Stores																				C	C		A	§ 6.4.42	
Paint, Varnish, or Wallpaper Stores																				C	C		A	§ 6.4.42	
<b>Food Sales, including Grocery Stores, Meat Markets or Butchers, Retail Bakeries, or Candy Shops</b>																				C	C	A	A	§ 6.4.43	
<b>Liquor, Beer, or Wine Sales</b>																				S	S		S		
<b>Retail Sales or Services, General</b>																				C	C	A	A	§ 6.4.44	
Art, Hobby, Musical Instrument, Toy, Sporting Goods, or Related Products Store																				C	C	A	A	§ 6.4.44	
Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Store																				C	C	A	A	§ 6.4.44	
Convenience Stores																				S	A		A		
Drug Stores or Pharmacies																				C	C	A	A	§ 6.4.44	
Duplicating or Quick Printing Services																			C	C	C	A	A	A	§ 6.4.44
Electronics, Appliance, or Related Products Store																				C	C	A	A	§ 6.4.44	
Florist																				C	C	A	A	§ 6.4.44	
Furniture, Cabinet, Home Furnishings, or Related Products Store																				C	C	A	A	§ 6.4.44	
Pawn Shop																						A	A	A	§ 6.4.44
Private Postal or Mailing Service																			C	C	C	A	A	A	§ 6.4.44
Tobacconist																				C	C	A	A	§ 6.4.44	
<b>Sweetgrass Basket Stands</b>	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	§ 6.4.58	
Warehouse Clubs or Superstores																							A	A	
<b>Service Stations, Gasoline</b> (with or without convenience stores)																				C	C		A	A	§ 6.4.45
<b>Truck Stop</b>																							A	A	
<b>Vehicle Sales (new or used)</b>																							A	A	
Automobile, or Light or Medium Duty Truck Dealers																							A	A	
Heavy Duty Truck or Commercial Vehicle Dealers																							A	A	

TABLE 6.1-1	ZONING DISTRICTS																							Condition	
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR	CT	CC	I		
Manufactured (Mobile) Home Dealers																							A	A	
Motorcycle, Watercraft, or Recreational Vehicle Dealers																							A	A	
Vehicle Parts, Accessories or Tire Stores																					A	A	A		
<b>RETAIL OR PERSONAL SERVICES</b>																									
<b>Consumer Convenience Service</b>																				C	C	A	A	§ 6.4.46	
Automated Bank / Teller Machines																				C	C		A	§ 6.4.46	
Drycleaners or Coin-Operated Laundries																				C	C		A	§ 6.4.46	
Drycleaning or Laundry Pick-up Service Stations																				C	C		A	§ 6.4.46	
Locksmith																				C	C		A	§ 6.4.46	
One-Hour Photo Finishing																				C	C	A	A	§ 6.4.46	
Tailors or Seamstresses																				C	C	A	A	§ 6.4.46	
<b>Hair, Nail, or Skin Care Services</b> , including Barber Shops or Beauty Salons	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	A	A	A	§ 6.4.3
<b>Personal Improvement Service</b> , including Dance Studios, Health or Physical Fitness Studios, Photography Studios, or Reducing Studios																				C	C	C	A	A	§ 6.4.47
<b>Tattoo Parlors</b>																							S	C	§ 6.4.59
<b>Services to Buildings or Dwellings</b> , including Carpet or Upholstery Cleaning, Exterminating, or Janitorial services																				C	C	C	A	A	§ 6.4.48
<b>Landscaping and Horticultural Services</b> to commercial, industrial, or institutional buildings, and residences	C	C	C	C	S	S	C	S	S										C	C	A	A	A	A	§ 6.4.48
<b>VEHICLE AND WATERCRAFT STORAGE</b>																									
<b>Vehicle Storage</b> , including Bus Barns, Boat or RV Storage, or Impound Yards																							A	A	
Boat Ramps	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Art. 5.3, §5.3.4
Community Dock	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Art. 5.3, §5.3.3
Commercial Dock			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Art. 5.3, §5.3.6
Marina			S	S	S	S	S	S	S	S	S	S	S				S	S	S	S	S	S	S	S	Art. 5.3, §5.3.5

TABLE 6.1-1	ZONING DISTRICTS																				Condition			
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I
<b>WHOLESALE SALES</b>																								
Aircraft Wholesalers, including Related Parts																							A	A
Beverage or Related Products Wholesalers, including Alcoholic Beverages																							A	A
Book, Periodical, or Newspaper Wholesalers																							A	A
Chemical Wholesalers (except Pharmaceutical Products, Fertilizers, or Pesticides)																							A	A
Clay or Related Products Wholesalers																					S		A	A
Computers or Electronic Products Wholesalers																							A	A
Construction Material Wholesalers, including Brick, Cement, Concrete, Lumber, Millwork, Plywood, Shell, Stone, Wood Panel or other Related Materials																					S		A	A
Electrical Equipment, Appliances or Components Wholesalers																							A	A
Fabric or Apparel Wholesalers																							A	A
Farm Supplies or Equipment Wholesalers																							A	A
Flower, Nursery Stock or Florists Supplies Wholesalers	A	A	A	A																	S		A	A
Food or Related Products Wholesalers																							A	A
Furniture, Cabinets, or Related Products Wholesalers																							A	A
Glass or Related Products Wholesalers																							A	A
Leather Products Wholesalers																							A	A
Machinery, Tools, or Construction Equipment Wholesalers																							A	A
Manufactured Home (Mobile Home) or other Prefabricated Structures Wholesalers																							A	A
Metal or Mineral (except Petroleum) Wholesalers																							A	A
Motor Vehicles (Commercial or Passenger) or Trailers Wholesalers, including Related Parts																							A	A
Paint, Varnish or Related Supplies Wholesalers																							A	A
Paper or Paper Products Wholesalers																							A	A
Petroleum Wholesalers																					S		A	A

TABLE 6.1-1	ZONING DISTRICTS																				Condition					
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I		
Pharmaceutical Wholesalers																								A	A	
Plastics or Rubber Products Wholesalers																								A	A	
Professional or Commercial Equipment or Supplies Wholesalers, including Office, Medical, or Restaurant Equipment																								A	A	
Sign Wholesalers																								A	A	
Tobacco or Related Products Wholesalers																								A	A	
Toy or Artwork Wholesalers																								A	A	
Watercraft (Commercial or Recreational) Wholesalers, including Related Parts																								A	A	
Wood Products Wholesalers																								A	A	
Other Miscellaneous Wholesale Sales																								S	A	
<b>INDUSTRIAL</b>																										
<b>INDUSTRIAL SERVICES</b>																										
Drycleaning or Carpet Cleaning Plants																									A	
Laundries, Commercial																									A	
Photo Finishing Laboratories																									A	
Research and Development Laboratories																									A	
Scrap and Salvage Service, including Automotive Wrecking Yards, Junk Yards, Parts Salvage, Paper Salvage Yards, Wholesale Scrap or Waste Materials Establishments, or Materials Recovery Facilities																									S	
<b>MANUFACTURING AND PRODUCTION</b>																										
Aircraft Manufacturing, including Related Parts																									A	
Beverage or Related Products Manufacturing, including Alcoholic Beverages																									A	
Cement or Concrete Products Manufacturing, including Concrete Batching or Asphalt Mixing																									A	
Chemical Manufacturing, including Pharmaceutical Products, Chemical Fertilizers or Pesticides																									S	
Clay or Related Products Manufacturing			C	C	C																C	C	C	A	§ 6.4.57	
Computers or Electronic Products Manufacturing																							C	A	§ 6.4.57	

TABLE 6.1-1	ZONING DISTRICTS																				Condition					
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I		
Electrical Equipment, Appliances or Components Manufacturing																							C	A	§ 6.4.57	
Fabric or Apparel Manufacturing, including Textile Mills																									A	
Food or Related Products Manufacturing																									A	
Furniture, Cabinets or Related Products Manufacturing			C	C	C																C	C	C	A	§ 6.4.57	
Glass or Related Products Manufacturing																							C	A	§ 6.4.57	
Leather Products Manufacturing, including Tanneries																									A	
Machinery, Tools, or Construction or Construction Equipment Manufacturing, including Farm Equipment																							C	A	§ 6.4.57	
Manufactured Home (Mobile Home) or other Prefabricated Structures Manufacturing																									A	
Metal, Petroleum, Coal, and other Mineral Products Manufacturing, including Refineries																									A	
Motor Vehicle (Commercial and Passenger) or Trailer Manufacturing, including Related Parts																									A	
Paint, Varnish or Related Supplies Manufacturing																									A	
Plastics or Rubber Products Manufacturing																									A	
Printing Press Production or Lithography																							C	A	§ 6.4.57	
Professional or Commercial Equipment or Supplies Manufacturing, including Office, Medical, Restaurant Equipment, or Specialty Items																							C	A	§ 6.4.57	
Pulp or Paper Mills																									S	
Rendering Plants																									S	
Sign Manufacturing																									A	
Slaughter House and Meat Packing																									S	
Stone or Shell Products Manufacturing																							C	S	§ 6.4.57	
Tobacco Products Manufacturing																									A	
Toy or Artwork Manufacturing			C	C	C																C	C	C	A	§ 6.4.57	
Watercraft (Commercial or Recreational) Manufacturing, including Related Parts																									A	
Wood Products Manufacturing			C	C	C																C	C	C	A	§ 6.4.57	
Other Miscellaneous Manufacturing and Production			C	C	C																C	C	C	A	§ 6.4.57	

TABLE 6.1-1	ZONING DISTRICTS																				Condition				
	RM	AG 15	AG 10	AG 8	AG R	RR3	S1	S2	S3	R2	R3	R4	M8	M 12	MH S	MH P	OR	OG	CN	CR		CT	CC	I	
<b>WAREHOUSE AND FREIGHT MOVEMENT</b>																									
Warehouse and Distribution Facilities																								A	
Cold Storage Plants																								A	
Freight Container Storage Yards, excluding Fuel Storage Facilities																							C	§ 6.4.52	
Freight Forwarding Facilities, including Truck Terminals, Marine Terminals, or Packing and Crating Facilities																							C	C	§ 6.4.49
Fuel Storage Facilities, excluding Nuclear Fuels																								A	
Household Moving Storage																								A	
Grain Terminals and Elevators																								A	
Parcel Services																								A	
Retail Store Warehouses																								A	
Stockpiling of Sand, Gravel, or other Aggregate Materials																								A	
Storage of Weapons or Ammunition																								S	
<b>OTHER USES</b>																									
<b>RECYCLING SERVICES</b>																									
Recycling Center																								A	
Recycling Collection, Drop-Off	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	A	§6.4.55
<b>RESOURCE EXTRACTION/MINING</b>																									
Resource Extraction/Mining, including Borrow Pits, Mining, Oil or Gas Extraction, Quarries, or Sand or Gravel Operations	S	S	S	S	S	S																		S	§ 6.4.14
<b>TRANSPORTATION</b>																									
Aviation, including Private Air Strips	S	S	S	S																				C	§6.4.56
Railroad Facility																								A	
Sightseeing Transportation, Land or Water	S	S	S	S																	A	A	A	A	Art. 5.3
Taxi or Limousine Service																			A	A			A	A	
Urban Transit Systems																								A	
Water Transportation, including Coastal or Inland Water Passenger Transportation			S	S		S													A	A			A	A	Art. 5.3

public right-of-ways by evergreen plant material that will provide opaque screening at the time of plant maturity.

#### **§6.4.5 COMMUNICATIONS TOWERS**

##### **A. Purpose and Legislative Intent**

The Federal Telecommunications Act of 1996 affirmed Charleston County's authority concerning the placement, construction and modification of Wireless Telecommunications Facilities. The regulations of this Section are designed to site communications towers in Charleston County. It is the intent of these regulations to allow for the harmonious coexistence 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 the following:
  - a. The use of Stealth Tower Design, as defined in Section 6.4.5.C.1;
  - b. The clustering of towers ("tower farms");
  - c. The placement of towers away from roadways;
  - d. The provision of effective screening; and
  - e. The location of communications equipment on existing structures or within existing utility substations or uses.

##### **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 Tower Provision**

1. For the purposes of this Section, the term "Stealth Tower" shall mean a communications tower designed to unobtrusively blend into its existing surrounding so as not to have the appearance of a communications tower. Examples of Stealth Towers include, but are not limited to, antenna tower alternative structures, architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing or proposed trees and landscaping, and antenna structures designed to look like light poles.
2. All proposed Stealth Tower designs must be approved by the Planning Director.
3. A complete zoning permit application for a Stealth Tower that meets all requirements of this Ordinance shall be approved.

**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. The bond must be renewed as necessary to ensure that it is maintained at all times during the existence of the tower.

**E. Pre-Application Meeting**

Prior to submitting a formal application for a Zoning Permit for Communications Tower the applicant is required to attend one or more pre-application meetings. The purpose of the pre-application meeting is to address key issues which will help to expedite the review and permitting process. The Planning Director may conduct a site visit at the pre-application meeting.

**F. Zoning Permit Submittal Requirements**

Prior to Zoning Permit approval, all applications for Communications Towers shall complete the Site Plan Review process as provided in Chapter 3 of this Ordinance. In addition to any Site Plan Review requirements, the application must contain the following items:

1. 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.
2. 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.
3. The height and typical design of the tower, typical materials to be used, color, and lighting shall be shown on elevation drawings. The applicant shall submit documentation justifying the total height of any Communications Towers, facility and/or antenna and the basis therefore. Additionally, color and material samples shall be provided.
4. 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.

5. A 6 foot non-climbable fence must be placed around the tower (except for those designed in a manner compatible with Section 6.4.5.A.2, Stealth Exemption) and any associated building. Guy wires may be fenced separately.
6. 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. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting that shall be as unobtrusive and inoffensive as permissible under State and Federal regulations, and an artist's rendering or other visual representation showing the effect of light emanating from the site on neighboring habitable structures within fifteen-hundred (1,500) feet of all property lines of the parcel on which the Communications Towers are located.
7. Communications Towers shall contain a sign no larger than four (4) square feet to provide adequate notification to persons in the immediate area of the presence of an Antenna that has transmission capabilities. The sign shall contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s). The sign shall be located so as to be visible from the access point of the site. No other signage, including advertising, shall be permitted on any facilities, Antennas, Antenna supporting structures or Antenna Towers, unless required by law.
8. 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.
9. 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 permitted.
10. A copy of the tower's search ring.
11. The Applicant shall supply the FAA study number for the proposed tower.
12. 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

satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers, buildings, or other structures are not available or suitable for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, providing a location free of interference from other communication towers, or available at the prevailing market rate (as determined by staff communication with persons doing business within the industry). Additionally, the applicant shall build the proposed tower in such a manner as may allow other telecommunication users to co-locate.

13. The tower shall be designed with excess capacity for future needs.
14. 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. The bond must be renewed as necessary to ensure that it is maintained at all times during the existence of the tower.
15. The applicant shall furnish a Visual Impact Assessment which shall include:
  - a. A "Zone Visibility Map" which shall be provided in order to determine locations where the Tower may be seen.
  - b. Pictorial representations of "before and after" view from key viewpoints both inside and outside the County, including but not limited to major highways and roads; state and local parks; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents.
  - c. An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets.

**G. Retention of Expert Assistance and Reimbursement by Applicant**

1. The County may hire any consultant and/or expert necessary to assist the County in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any requests for recertification.
2. For towers proposed to be 100 feet or higher, the applicant shall deposit with the County funds sufficient to reimburse the County for all reasonable costs of the consultant and expert evaluation and consultation to the County in connection with the review of any application including the construction and modification of the site, once permitted. The initial deposit shall be \$5,000.00. The application will not be processed until receipt of this initial deposit. The County will maintain a separate account for all such funds. The County's consultants/experts shall invoice the County for all its services in

reviewing the application, including the construction and modification the site, once permitted. If at any time during the process this account has a balance less than \$1,000.00, the applicant shall immediately, upon notification by the County, replenish said account so that it has a balance of at least \$5,000.00. Such additional account funds shall be deposited with the County before any further action or consideration is taken on the application. In the event that the amount held in the account by the County is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant. The applicant shall not be entitled to receive any interest earnings on unused funds.

3. The total amount of the funds needed as set forth in subsection 2 of this Section may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.
4. Additional fees may be required if additional hearings before the board of Zoning Appeals are caused by or requested by the applicant.

#### **H. Surrounding Property Owner Notification**

1. In order to better inform the public, in the case of a new Communications Towers, the applicant shall hold a “balloon test” as follows: the applicant shall arrange to fly, or raise upon a temporary mast, a minimum of three (3) foot diameter brightly colored balloon at the maximum height of the proposed new tower. The dates (including a second date, in case of poor visibility on the initial date) shall be provided to the Planning Director ten (10) days after receipt of the complete application notice. The dates shall be set a minimum of fifteen (15) days prior to the Planning Director making a final decision on the Zoning Permit. The balloons shall be flown for ten (10) consecutive hours between 8:00 a.m. and 6:00 p.m.
2. Once the application is deemed complete by the Planning Director for a Communications Tower Zoning Permit, the Planning Department shall provide Parties in Interest, Neighbor, Posted and Newspaper Notice in accordance with the requirements of Section 3.1.6 of this Ordinance. The public notice shall include the dates of the balloon tests as provided by the applicant and the date the Planning Director must make a final decision on the Zoning Permit.

#### **I. Time Limit for Staff Review**

Upon receipt of an application deemed complete by the Planning Director for a Communications Tower Zoning Permit, the Planning Director shall have a maximum of 45 days to act on the application. The 45 days begins from the date the applicant is sent written notice of a complete application from the Planning Director. Failure to act on the application within 45 days will result in the applicant being granted a Zoning Permit.

**J. Zoning Permit Approval Criteria**

1. A complete zoning permit application for a Stealth Tower that meets all requirements of this Ordinance shall be approved.
2. Upon review of a complete application, no Zoning Permit shall be issued for a communications tower until the Planning Director determines that the proposed tower complies with the following criteria and standards:
  - a. 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, officially designated scenic roads or rivers, and that the tower is designed to blend into the environment and minimize visual impact.
  - b. If a completely new tower is necessary, the applicant must provide written proof of attempts at co-location and siting a tower on the same lot near an existing tower were proven not feasible or practical.
  - c. 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.
  - d. Staff shall review and approve the color and materials to be used for the proposed tower.
3. If the Planning Director finds a proposed communications tower will have a substantially negative impact on a surrounding area or adjoining property, the use shall fall under the Special Exception (S) provisions of this Ordinance.

In determining whether the use shall fall under the Special Exception (S) provisions, the Planning Director may consider one or more of the following items:

- a. The proposed use will be detrimental to adjacent land uses including historical sites;
- b. The proposed use will have a negative aesthetic visual impact;
- c. The proposed use will have an adverse affect on the environment (not including radio frequency emissions); and
- d. The proposed use is contrary to the public health, safety or welfare.

## **CHAPTER 9 | DEVELOPMENT STANDARDS**

### **ARTICLE 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.

### **ARTICLE 9.2 APPLICABILITY**

Unless expressly stated, the articles in this Chapter apply to development occurring on property within unincorporated Charleston County.

### **ARTICLE 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. Reduction Below Minimums**

The Planning Director shall be authorized to reduce the number of required parking spaces by no more than 10 percent (10%) when more than ten (10) spaces are required with the following conditions:

1. The site can support the minimum required number of parking spaces and meet all development standards in this Ordinance including buffers and landscaping requirements; or
2. The reduction is necessary to meet the Tree Protection and Preservation regulations contained in Article 9.4 of this Ordinance.

This allowable reduction excludes medical offices and restaurant uses. 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 TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
<b>RESIDENTIAL</b>	
Congregate Living	1 per 3 beds
Farm Labor Housing (Dormitory)	0.5 per bed
Adult/Child Group Home or Residential Care Facility	1 per 3 beds, plus 1 per employee in single shift
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
Single Family: Detached and attached, including dwelling groups, duplexes and manufactured housing units.	2 per dwelling unit
<b>CIVIC/INSTITUTIONAL</b>	
Cemetery	1 per full time employee
Court of Law	1 per employee plus 1 per every 3 seats of seating available to the public in the courtroom
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	1 per 250 square feet of gross floor area
Convalescent Services	1 per 5 beds
Historical Sites, Libraries, Archives or Museums	1 per 300 square feet
Adult or Child Day Care Facilities	1 per employee plus 1 per 5 children/adults
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 per 5,000 square feet of land area plus outdoor recreation requirements
Postal Service, United States	1 per 150 square feet of floor area
Railroad Freight Depot	1 per 2,400 square feet
Recycling Collection, Drop-Off	1 per recycle collection container
Public Assembly: Including Conference Centers, Concert Halls, Religious Assemblies, Professional, Labor or Political Organizations and Social Clubs or Lodges	1 per 5 fixed seats or 1 per every three (3) persons in structures with non-fixed seating of the maximum occupancy load as established by building code. The number of spaces required may be reduced a maximum of 50% if the assembly area is located within 500 feet of any public or commercial parking lot where sufficient spaces are available by parking agreement.
Intermediate Care Facility for the Mentally Retarded	1 per bed plus 1 per employee in single shift

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Health Care Related Services: Including Home Health Agency, Laboratory, Outpatient Services and Rehabilitation facilities	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 space per 6 students for which the facility is licensed plus 1 per employee
School, Primary	1 space for each vehicle owned and operated by the school plus two per employee (including faculty, administrative, etc.)
School, Secondary	1 space for each vehicle owned and operated by the school plus two per employee (including faculty, administrative, etc.) plus 1 per 8 students
Personal Improvement Education	1 per every 3 students plus 1 per employee
Utility Service, Major	1 space per employee plus 1 per stored vehicle
Utility Service, Minor	None
Zoo	10 plus 1 per employee in single shift
<b>COMMERCIAL</b>	
Agricultural Sales/Service	1 per 500 square feet of floor area plus 4 per acre outdoor sales/display/storage area
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: Including data processing and publishing services	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
Convenience Store	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
Construction Tools, Commercial or Industrial 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 and Financial Services	1 per 300 square feet of floor area, also see drive-thru requirements
Food Sales and Grocery Stores	1 per 175 square feet
Funeral Services	1 per 4 seats or 1 per employee, whichever is greater

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Hair, Nail or Skin Care Service	2 per employee or work station, whichever is greater
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	1 space per 200 sq. ft. of office area plus 1 per 3 wet slips and 1 per 5 dry stack storage
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 200 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
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 plus, Swimming Pool-1 per 200 square feet of water surface area Tennis-2 spaces per court Basketball- 5 spaces per court Athletic Field- 15 spaces per diamond or field
Fishing or Hunting Guide Service	5 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 or camp site
Golf Courses or Country Clubs	1 per employee plus 4 per golf green, plus 1 per 4 seats for accessory restaurant or bar use
Repair Service, Consumer	1 per 300 square feet of floor area
Catering Service	1 per 400 square feet of floor area

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
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
Shopping Center (mixed retail, office, food sales, restaurant)	1 space per 200 square feet
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	3 spaces plus 1 space per employee and 1 space per 100 units
Gasoline Service Station	1 per 200 square feet of gross floor area plus vehicle stacking spaces per Article 9.3.8
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	2 per employee or service bay
Vehicle Sales or Vehicle Rental or Leasing	1 per 2,500 square feet of display, 1 per 250 square feet indoor enclosed floor space
Vehicle Parts, Accessories or Tire Stores	1 per 300 square feet of floor area (10 space minimum)
Vehicle Storage	1 per 2 employees
Veterinary Services	3 spaces per each veterinarian or allied professional
<b>INDUSTRIAL</b>	
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 200 square feet of floor area
Manufacturing and Production	1 per 400 square feet of 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 <sup>st</sup> 12,000 square feet warehouse/storage area plus 1 per 900 square feet for remaining warehouse/storage area (over 12,000 square feet)
Wholesale Sales	1 per 600 square feet for 1 <sup>st</sup> 12,000 square feet+1 per 900 square feet for remaining area (over 12,000 square feet)

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
<b>AGRICULTURAL AND OTHER USES</b>	
Animal Production	None
Aviation	1 space per 5 aircraft tie down or storage plus 1 space per 4 seats in waiting room areas
Sightseeing Transportation, Land or Water	1 per 2 seats of sightseeing vehicle
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
Horticulture, Greenhouse or Hydroponics Production	1 per employee
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 or Waste Related Use	1 per employee
Resource Extraction	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 one 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 one-half or less will be rounded down to the next lower whole number and any fraction of more than one-half 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. Storage areas or common areas incidental to the principle use shall be exempt from this measurement when the following conditions are met:

1. The storage area or common area is a minimum of two hundred fifty (250) square feet; and
2. The applicant has provided documentation that such areas will not be used as space for employees, customers, or residents.

**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**

1. 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.
2. Parking lots in Office (O) and Commercial (C) districts containing more than ten parking spaces shall be located to the side or rear of the principal structure's front facade or within a courtyard surrounded by a structure on at least three sides.

**B. Off-Site and Shared Parking**

Off-site parking is defined as the required parking not located on the parcel which the principal use is located. Shared parking is parking for uses with different operating hours or peak business periods that share required off-street parking spaces. Shared parking may or may not be off-site parking. Off-site and shared parking are allowed provided they meet the following standards. If any one of the following applicable standards cannot be met, Special Exception approval shall be required:

1. A maximum of fifty percent (50%) of the required parking spaces may be off-site however, 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 unless approved as part of a mixed use development. Required parking spaces reserved for persons with disabilities shall not be located off site.

2. Shared or off-site parking must be located within 600 feet from the primary entrance of the use served, unless shuttle bus service is provided to the remote parking area. Shared or off-site parking spaces may not be separated from the use that it serves they serve 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.
3. An applicant requesting shared parking shall submit a shared parking analysis to the Planning Director that clearly demonstrates the feasibility of shared parking. The shared parking analysis must be approved 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. Approvals will only pertain to the specific uses addressed in the analysis and any change in use(s) will require a new shared parking analysis.
4. Off-site parking areas serving uses located in Nonresidential zoning districts must be located in non-residential 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 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.
6. Shared parking areas must be connected by a continuous network of sidewalks and pedestrian crosswalks.

#### **§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:

1. Car-accessible spaces shall have at least a five-foot-wide access aisle located abutting the designated parking space.
2. Van-accessible spaces shall have at least an eight-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 and parking space dimensions shall comply with the standards in the following table. Twenty percent (20%) of the minimum number of required parking for a development may utilize compact and sub-compact vehicle parking dimensions. These dimensions shall be a minimum of 7 feet 6 inches x 15 feet (7'6" x 15') and clearly marked for compact vehicles only.

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.

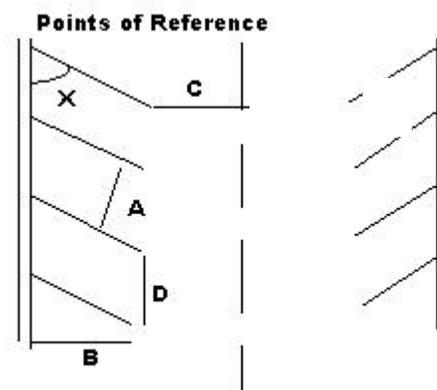


Figure 2

**C. Parking Lot Landscaping**

See Article 9.5 of this Chapter.

**D. Markings and Surface Treatment**

1. In paved parking areas, each off-street parking space shall be identified by surface markings at least four 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 four inches) to delineate the location of the space and to prevent the encroachment of parking onto adjoining properties, rights-of-way, or landscaped areas.

2. One-Way and Two-Way accesses into required parking facilities shall be identified by directional arrows.
3. 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**

1. 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.
2. 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:

<b>LENGTH OF FRONTAGE</b>	<b>MAXIMUM NUMBER OF DRIVEWAYS</b>
<b>250 feet or less</b>	<b>1*</b>
<b>251 feet to 1,500 feet</b>	<b>2</b>
<b>1,500 feet or more</b>	<b>3</b>

\* 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 one-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.

3. 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.
4. The Planning Director shall be authorized to require that access to dwelling units comply with the International Fire Code, as adopted by County Council.
5. Shared access between parcels may be allowed with written agreement among all owners of record. An attested copy of the access 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 or certificate of occupancy for any use to be served by shared access. Any shared access must meet all dimensional requirements of this Ordinance and any applicable SCDOT requirements.

### §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	3	Teller Window
Automated teller machine	2	ATM
Restaurant drive-through	5	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Car wash stall, automatic	4	Entrance
Car wash stall, self-service	3	Entrance
Dry Clean Service	3	Pick up Window
Gasoline pump island	2	Pump Island
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 eight 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.
- The Planning Director may require pick-up and drop-off loop drives with sufficient vehicle stacking lanes to prevent vehicle backups into internal

travel lanes and parking lots for school uses, adult and child day care facility uses, public assembly uses, and conference facility uses.

### §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.

### §9.3.10 PEDESTRIAN WAYS

#### A. Where Required

1. Paved pedestrian ways shall be provided in all non-residential development within the Urban and Suburban Areas of the County; and
2. Paved pedestrian ways shall link surrounding roadways with the front entrance and shall provide pedestrian linkages between the proposed development and uses on adjoining lots.

#### B. 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. Alternative surface walkways may

be used outside of right-of-ways when deemed appropriate to surrounding development characteristics by the Planning Director.

## **ARTICLE 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 stormwater 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. The Tree Protection and Preservation regulations of this Article are intended to enhance the health, safety and welfare of Charleston County citizens.

#### **B. Applicability and Exemptions**

##### **1. Applicability**

The provisions of this Article in their entirety shall apply to all real property in unincorporated Charleston County, except as otherwise expressly exempted.

##### **2. Exemptions**

- a. Single family detached residential lots of record shall be exempt from all provisions in this Article except for the Grand Tree documentation, protection and replacement provisions. This exemption does not include applications for Major or Minor Subdivisions for which landscape buffers may be required per Section 9.5.4.
- b. The Planning Director shall be authorized to modify or reduce the standards of this Article for commercial nursery operations.
- c. 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 lines or other easements shall not be exempt from the provisions of this Article.
- d. Removal of trees for the purpose of conducting “bona fide forestry operations” shall be exempt from the provisions of this Article except for removal of Live Oak species of Grand trees.

- e. 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 except for the Grand Tree documentation, protection and replacement provisions.
- f. 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 are exempt from this Article.
- g. Removal of trees on properties in the Industrial Zoning District is permitted pursuant to the following conditions:
  - i. Tree removal cannot occur prior to site plan approval;
  - ii. This exemption shall not apply to Live Oak species of Grand Trees or any protected trees within required buffers and parking lots; and
  - iii. Mitigation of removed trees, as stated in this Section, is required. Staff shall approve the mitigation of such trees in accordance with Section 9.4.6 of this Ordinance.

### 3. Partial Exemptions for SCDOT and CCPW

The South Carolina Department of Transportation (SCDOT) and Charleston County Public Works (CCPW) shall be exempt from the provisions of this Article except the following:

- a. All trees species measuring 6 inches or greater DBH located in right-of-ways along Scenic Highways as designated in this Ordinance shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5B and 9.4.6.
- b. Grand Tree Live Oak species in all present and proposed right-of-ways and easements shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5.B and 9.4.6.
- c. All Grand Trees other than Live Oak species in all present and proposed right-of-ways and easements not located on a Scenic Highway are protected but may be permitted to be removed administratively when mitigated per Article 9.4.6.

### C. 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 percent 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.

#### **D. MEASUREMENTS AND DEFINITIONS**

##### **1. Diameter Breast Height**

Diameter Breast Height is used for measuring all trees greater than 12-inch caliper. The Diameter Breast Height (DBH) of a tree is the total diameter, in inches, of a tree trunk or trunks measured 4½ feet above existing grade (at the base of the tree). In measuring DBH, the circumference of the tree shall be measured with a measuring tape designed specifically to calculate diameter. A standard measuring tape may be used to measure diameter when the circumference is divided by 3.14. If a tree trunk splits at ground level and the trunks do not share a common base (separated by earth at natural grade), then each trunk shall be measured as a separate tree. If a multi-trunk tree splits below the 4.5 foot mark and the trunks share a common base, all trunks shall be measured separately, added together, and count as one tree. Any trunk measuring less than 8 inches DBH is not included in the calculation.

##### **2. Caliper**

Caliper is the diameter of a tree trunk measured six inches above the ground on trees with calipers of four inches or less. For trees between four-inch and 12-inch caliper, the trunk is measured 12 inches above the ground.

##### **3. Grand Tree**

Any tree measuring 24 inches or greater diameter breast height (DBH) except pines. All Grand Trees are prohibited from removal unless a Grand Tree Removal Permit is issued.

##### **4. Protected Trees**

Any tree on a parcel with a diameter breast height of eight inches or greater prior to development and all trees within required buffers or required landscape areas. Limited removal is allowed only when specified by the provisions of this Ordinance.

#### **§9.4.2 ADMINISTRATION**

##### **A. Zoning Permit Required**

##### **1. 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.

## 2. Excess Canopy (Limb) Removal

- a. Removal of three or more limbs with an individual diameter of six inches or greater shall require a Zoning Permit.
- b. Removal of any size limbs which contribute to more than one hundred continuous linear feet of canopy over public roadways shall require Variance approval from the Board of Zoning Appeals. This requirement shall not preclude the SCDOT, CCPW or other entities from maintaining height clearances of 14' or less and width clearances within designated travel ways and from removing unprotected trees along right-of-ways for road widening projects.

### B. Documentation

Tree plans, prepared by a licensed registered surveyor, civil engineer or landscape architect shall be required on all non-exempt parcels before any zoning permits are issued.

## §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), 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, phone number, 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 previously approved recorded plat is utilized for the purpose of tree plans the name, address, phone number, signature and seal of the licensed landscape architect, civil engineer, forester or surveyor, registered in the State of South Carolina shall be provided. A scaled infrared or high resolution black and white aerial photograph or print of equal quality may be substituted in cases where the Planning Director determines that it would provide the same information as a tree plan. However, all Grand Trees within 40 feet of proposed construction and land disturbance areas and trees within required buffers must be surveyed and mapped.

### B. 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. Commercial, Industrial and Multi-Family Parcels

1. All tree surveys must show the location, number, size and species of all trees 8 inches or greater DBH (Diameter Breast Height) including those scheduled to be removed.

2. When there are no trees 8 inches or greater DBH, documentation of this fact shall be provided from a registered surveyor, engineer or landscape architect.

**[Commentary: Assistance in tree identification and condition should be provided by a forester or qualified arborist.]**

**D. Single Family Detached Residential Parcels**

1. Single family detached residential parcels shall show all Grand Trees within the area of construction and land disturbance and in conjunction with the subdivision regulations of this Ordinance at the time a zoning or building permit application is made.

**§9.4.4 REQUIRED TREE PROTECTION**

**A. General**

All Grand Trees and any other trees required to remain on a site as outlined in this Ordinance must be protected during construction and development of the parcel. Tree protection must be shown on all development plans prior to site plan approval. A site inspection of the tree barricades must be scheduled by the applicant with the Planning Department for approval prior to the issuance of permits or the start of development activities.

Prior to issuance of a zoning permit, a pre-construction planning conference for tree preservation is required 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 dumpsters.

**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, 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 by the Planning Director and placed beneath the canopy drip line or one and one-half 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. Limited clearing shall be for the

express purpose of accessing the property and protected trees to erect the required tree protection and silt fencing. For the purposes of this Article, limited clearing shall be clearing done with hand tools, push or walk behind equipment or lightweight bush-hog type equipment designed specifically for brush and undergrowth clearing that is not capable of removing vegetation greater than 3 inches in diameter. 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 one and one-half 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 percent of the protected area beneath a tree. Any paving, grading, trenching, or filling within the remaining 75 percent 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. Quantity and Location of Trees to be Protected**

Before the issuance of a Zoning Permit for Commercial, Industrial, Multi-Family, and Civic/Institutional uses, the following number of trees with a diameter breast height of 8 inches or greater shall be preserved and protected in accordance with the provisions of Section 9.4.4.B of this Ordinance. All trees located within required buffers as outlined in Article 9.5 shall be protected.

1. 20 trees per acre; or
2. Any number of trees with a combined diameter breast height of at least 160 inches per acre.
3. Required drainage improvements such as detention and retention ponds and wetlands may be subtracted from the area used to calculate tree preservation requirements.

**§9.4.5 TREE REMOVAL**

**A. Generally**

Permits for tree removal may be approved where one or more of the following conditions are deemed to exist by the Planning Director:

1. Trees are not required to be retained by the provisions of this Article.
2. Trees are diseased, dead or dying (as determined by the Planning Director or a qualified arborist);

3. Trees pose an imminent safety hazard to nearby buildings, or pedestrian or vehicular traffic (as determined by the Planning Director or a qualified arborist); or
4. Removal of required trees has been approved by the Board of Zoning Appeals.

**B. Variances**

Grand Trees and protected trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such trees.

**C. 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, and natural disasters, the Planning Director may waive requirements of this Article. Documentation must later be submitted for review outlining the threat to public safety which initiated the removal. Documentation must include any written findings by a qualified arborist and photographs supporting the tree removal emergency. The Planning Director may require replacement of required trees that are removed where it is determined that death or disease resulted from negligence.

**D. Violations and Penalties**

Violations and penalties are specified in Chapter 11 of this Ordinance.

**§9.4.6 TREE REPLACEMENT**

**A. Generally**

Tree replacement shall be required accompanying development on all non-exempt properties in the manner described below:

1. When replacement canopy trees are required in fulfillment of the requirements of this Article, they shall be no smaller than two and one-half-inch caliper.
2. 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. Protected Trees Removed in Violation**

When trees of 8 inches DBH or greater have been removed in violation of this Ordinance, replacement trees shall be planted in the same general area according to a replacement schedule approved by the 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 six 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.C of this Chapter, and as a form of mitigation when planting of the required trees is determined to be detrimental to the overall health of existing trees or impractical for the intended site design. The Planning Director shall impose a Tree Mitigation fee based on the current market retail value of two- to three-inch 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.

**§9.4.7 INSPECTIONS AND FINAL APPROVAL**

**A.** The Planning Director shall periodically visit development sites prior to completion to monitor compliance with the tree plan approved for a project.

**B.** 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 five 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, the Planning Director shall approve a

be used outside of right-of-ways when deemed appropriate to surrounding development characteristics by the Planning Director.

## **ARTICLE 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 stormwater 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. The Tree Protection and Preservation regulations of this Article are intended to enhance the health, safety and welfare of Charleston County citizens.

#### **B. Applicability and Exemptions**

##### **1. Applicability**

The provisions of this Article in their entirety shall apply to all real property in unincorporated Charleston County, except as otherwise expressly exempted.

##### **2. Exemptions**

- a. Single family detached residential lots of record shall be exempt from all provisions in this Article except for the Grand Tree documentation, protection and replacement provisions. This exemption does not include applications for Major or Minor Subdivisions for which landscape buffers may be required per Section 9.5.4.
- b. The Planning Director shall be authorized to modify or reduce the standards of this Article for commercial nursery operations.
- c. 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 lines or other easements shall not be exempt from the provisions of this Article.
- d. Removal of trees for the purpose of conducting “bona fide forestry operations” shall be exempt from the provisions of this Article except for removal of Live Oak species of Grand trees.

- e. 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 except for the Grand Tree documentation, protection and replacement provisions.
- f. 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 are exempt from this Article.
- g. Removal of trees on properties in the Industrial Zoning District is permitted pursuant to the following conditions:
  - i. Tree removal cannot occur prior to site plan approval;
  - ii. This exemption shall not apply to Live Oak species of Grand Trees or any protected trees within required buffers and parking lots; and
  - iii. Mitigation of removed trees, as stated in this Section, is required. Staff shall approve the mitigation of such trees in accordance with Section 9.4.6 of this Ordinance.

### **3. Partial Exemptions for SCDOT and CCPW**

The South Carolina Department of Transportation (SCDOT) and Charleston County Public Works (CCPW) shall be exempt from the provisions of this Article except the following:

- a. All trees species measuring 6 inches or greater DBH located in right-of-ways along Scenic Highways as designated in this Ordinance shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5B and 9.4.6.
- b. Grand Tree Live Oak species in all present and proposed right-of-ways and easements shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5.B and 9.4.6.
- c. All Grand Trees other than Live Oak species in all present and proposed right-of-ways and easements not located on a Scenic Highway are protected but may be permitted to be removed administratively when mitigated per Article 9.4.6.

### **C. 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 percent 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.

#### **D. MEASUREMENTS AND DEFINITIONS**

##### **1. Diameter Breast Height**

Diameter Breast Height is used for measuring all trees greater than 12-inch caliper. The Diameter Breast Height (DBH) of a tree is the total diameter, in inches, of a tree trunk or trunks measured 4½ feet above existing grade (at the base of the tree). In measuring DBH, the circumference of the tree shall be measured with a measuring tape designed specifically to calculate diameter. A standard measuring tape may be used to measure diameter when the circumference is divided by 3.14. If a tree trunk splits at ground level and the trunks do not share a common base (separated by earth at natural grade), then each trunk shall be measured as a separate tree. If a multi-trunk tree splits below the 4.5 foot mark and the trunks share a common base, all trunks shall be measured separately, added together, and count as one tree. Any trunk measuring less than 8 inches DBH is not included in the calculation.

##### **2. Caliper**

Caliper is the diameter of a tree trunk measured six inches above the ground on trees with calipers of four inches or less. For trees between four-inch and 12-inch caliper, the trunk is measured 12 inches above the ground.

##### **3. Grand Tree**

Any tree measuring 24 inches or greater diameter breast height (DBH) except pines. All Grand Trees are prohibited from removal unless a Grand Tree Removal Permit is issued.

##### **4. Protected Trees**

Any tree on a parcel with a diameter breast height of eight inches or greater prior to development and all trees within required buffers or required landscape areas. Limited removal is allowed only when specified by the provisions of this Ordinance.

#### **§9.4.2 ADMINISTRATION**

##### **A. Zoning Permit Required**

##### **1. 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.

## 2. Excess Canopy (Limb) Removal

- a. Removal of three or more limbs with an individual diameter of six inches or greater shall require a Zoning Permit.
- b. Removal of any size limbs which contribute to more than one hundred continuous linear feet of canopy over public roadways shall require Variance approval from the Board of Zoning Appeals. This requirement shall not preclude the SCDOT, CCPW or other entities from maintaining height clearances of 14' or less and width clearances within designated travel ways and from removing unprotected trees along right-of-ways for road widening projects.

### B. Documentation

Tree plans, prepared by a licensed registered surveyor, civil engineer or landscape architect shall be required on all non-exempt parcels before any zoning permits are issued.

## §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), 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, phone number, 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 previously approved recorded plat is utilized for the purpose of tree plans the name, address, phone number, signature and seal of the licensed landscape architect, civil engineer, forester or surveyor, registered in the State of South Carolina shall be provided. A scaled infrared or high resolution black and white aerial photograph or print of equal quality may be substituted in cases where the Planning Director determines that it would provide the same information as a tree plan. However, all Grand Trees within 40 feet of proposed construction and land disturbance areas and trees within required buffers must be surveyed and mapped.

### B. 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. Commercial, Industrial and Multi-Family Parcels

1. All tree surveys must show the location, number, size and species of all trees 8 inches or greater DBH (Diameter Breast Height) including those scheduled to be removed.

2. When there are no trees 8 inches or greater DBH, documentation of this fact shall be provided from a registered surveyor, engineer or landscape architect.

**[Commentary: Assistance in tree identification and condition should be provided by a forester or qualified arborist.]**

**D. Single Family Detached Residential Parcels**

1. Single family detached residential parcels shall show all Grand Trees within the area of construction and land disturbance and in conjunction with the subdivision regulations of this Ordinance at the time a zoning or building permit application is made.

**§9.4.4 REQUIRED TREE PROTECTION**

**A. General**

All Grand Trees and any other trees required to remain on a site as outlined in this Ordinance must be protected during construction and development of the parcel. Tree protection must be shown on all development plans prior to site plan approval. A site inspection of the tree barricades must be scheduled by the applicant with the Planning Department for approval prior to the issuance of permits or the start of development activities.

Prior to issuance of a zoning permit, a pre-construction planning conference for tree preservation is required 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 dumpsters.

**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, 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 by the Planning Director and placed beneath the canopy drip line or one and one-half 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. Limited clearing shall be for the

express purpose of accessing the property and protected trees to erect the required tree protection and silt fencing. For the purposes of this Article, limited clearing shall be clearing done with hand tools, push or walk behind equipment or lightweight bush-hog type equipment designed specifically for brush and undergrowth clearing that is not capable of removing vegetation greater than 3 inches in diameter. 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 one and one-half 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 percent of the protected area beneath a tree. Any paving, grading, trenching, or filling within the remaining 75 percent 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. Quantity and Location of Trees to be Protected**

Before the issuance of a Zoning Permit for Commercial, Industrial, Multi-Family, and Civic/Institutional uses, the following number of trees with a diameter breast height of 8 inches or greater shall be preserved and protected in accordance with the provisions of Section 9.4.4.B of this Ordinance. All trees located within required buffers as outlined in Article 9.5 shall be protected.

1. 20 trees per acre; or
2. Any number of trees with a combined diameter breast height of at least 160 inches per acre.
3. Required drainage improvements such as detention and retention ponds and wetlands may be subtracted from the area used to calculate tree preservation requirements.

**§9.4.5 TREE REMOVAL**

**A. Generally**

Permits for tree removal may be approved where one or more of the following conditions are deemed to exist by the Planning Director:

1. Trees are not required to be retained by the provisions of this Article.
2. Trees are diseased, dead or dying (as determined by the Planning Director or a qualified arborist);

3. Trees pose an imminent safety hazard to nearby buildings, or pedestrian or vehicular traffic (as determined by the Planning Director or a qualified arborist); or
4. Removal of required trees has been approved by the Board of Zoning Appeals.

**B. Variances**

Grand Trees and protected trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be replaced according to a schedule determined by the Board. The Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such trees.

**C. 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, and natural disasters, the Planning Director may waive requirements of this Article. Documentation must later be submitted for review outlining the threat to public safety which initiated the removal. Documentation must include any written findings by a qualified arborist and photographs supporting the tree removal emergency. The Planning Director may require replacement of required trees that are removed where it is determined that death or disease resulted from negligence.

**D. Violations and Penalties**

Violations and penalties are specified in Chapter 11 of this Ordinance.

**§9.4.6 TREE REPLACEMENT**

**A. Generally**

Tree replacement shall be required accompanying development on all non-exempt properties in the manner described below:

1. When replacement canopy trees are required in fulfillment of the requirements of this Article, they shall be no smaller than two and one-half-inch caliper.
2. 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. Protected Trees Removed in Violation**

When trees of 8 inches DBH or greater have been removed in violation of this Ordinance, replacement trees shall be planted in the same general area according to a replacement schedule approved by the 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 six 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.C of this Chapter, and as a form of mitigation when planting of the required trees is determined to be detrimental to the overall health of existing trees or impractical for the intended site design. The Planning Director shall impose a Tree Mitigation fee based on the current market retail value of two- to three-inch 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.

**§9.4.7 INSPECTIONS AND FINAL APPROVAL**

**A.** The Planning Director shall periodically visit development sites prior to completion to monitor compliance with the tree plan approved for a project.

**B.** 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 five 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, the Planning Director shall approve a

delayed schedule for planting materials (provided by the applicant's contractor) when the immediate planting schedule would impair the health of the plants. When a delayed planting schedule is approved, the applicant shall provide a bond equivalent to one and one-half times the projected cost of the planting materials. This is designed to include severe weather, such as droughts, heat waves, and floods.

- C. Within three 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.
- D. 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.
- E. 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.

## **ARTICLE 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 non-residential development and all new major roadways that serve Residential Major Subdivisions (ten or more lots). Minor Subdivisions (those with fewer than ten 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.

1. A perimeter landscape area at least eight 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 three 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 one landscape island shall be provided for each ten 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 one canopy tree and there shall be no more than ten parking spaces in a row between tree islands. Interior parking landscape islands that separate double loaded parking bays shall be a minimum of nine 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.

#### **§9.5.4 LANDSCAPE BUFFERS**

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

###### **1. Applicability**

Right-of-way buffers shall be required adjacent to road rights-of-way for all uses except for the following: agricultural and residential uses existing on or prior to November 20, 2001. Minor Subdivisions may not have to comply with the requirements of this Section if the 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 as follows:

- a. General: A required right-of-way buffer may be reduced by up to one-third its depth when the following circumstance exist:
  - i. The parcel is located on a corner lot with required right-of-way buffers of thirty-five (35) feet or more; or
  - ii. The area of all the required buffers, including land use buffers and tree protection area, exceeds thirty percent (30%) of the site.
- b. A required right-of-way buffer of thirty-five (35) feet or more located within the Urban/Suburban Area as defined by the Urban Growth Boundary (UGB) may be reduced as follows:

- i. When no parking or vehicular use area is located between the building and the right-of-way, the required buffer may be reduced to no less than eight (8) feet (Type A land use buffer) provided there is a direct connection with the street and the front entrance with a pedestrian way.
- ii. When no more than ten (10) parking spaces are located between the building and the right of way, the required buffer may be reduced to no less than fifteen (15) feet (S2 buffer) provided there is a direct connection with the street and the front entrance with a pedestrian way.
- iii. Buffers required on parcels that are part of redevelopment that preserves existing structures may be reduced up to a depth no less than ten (10) feet (Type A land use buffer) in order to meet the parking and tree preservation requirements of this Ordinance.

### **3. Buffer Types by Roadway**

Landscape buffers shall be required along roadways in accordance with the following table. Streets and roads not indicated in the table shall comply with the S2 buffer requirements. Section 9.5.4 of this Chapter describes buffer types and planting requirements.

### **4. Development Within Buffer Areas**

- a. No development may occur within required buffer areas; with the exception of sidewalks and permitted drives and signs;
- b. All buffer areas shall accommodate required plant material within the buffer;
- c. Drainage swales and stormwater detention ponds may be placed in the buffer only when trees are not endangered and only when they meander through the buffer in a natural manner; and
- d. Stormwater detention ponds may not occupy more than twenty-five percent (25%) of the buffer area.

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Abbapoola Road	S4	Magwood Road	S3
Ashley Hall Road	S1	Main Road (Limehouse Bridge to Maybank Hwy.)	S5
Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	S1	Main Road (Bees Ferry Road to Limehouse Bridge)	S4
Hwy. 61/Ashley River Road (Sam Rittenberg Boulevard to Mark Clark Expressway)	S2	Manse Road	S4
Hwy. 61/Ashley River Road (Mark Clark Expressway to Church Creek)	S3	Mark Clark Expressway	S5
Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1]	S5	Mary Ann Point Road	S3
Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line)[1]	S6	Mathis Ferry Road [1]	S4
Bears Bluff Road	S5	Maybank Highway Corridor Overlay District	[2]
Bees Ferry Road	S4	Maybank Highway [James Island]	S1
Belvedere Road	S4	Maybank Hwy (Main Road to Rockville)	S5
Betsy Kerrison Parkway [1]	S5	Meeting Street	S1
Bohicket Road [1]	S5	Murraywood Road	S4
Botany Bay Road	S4	Old Georgetown Road	S4
Brownswood Road	S4	Liberia Road	S4
Abbapoola Road	S4	Old Georgetown Road in the "Loop" area (designated on the Mount Pleasant Overlay map)	S1
Cane Slash Road	S4	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/Fickling Hill Road	S4
Edenvale Road	S4	Peters Point Road	S4

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Fordham Road	S1	Pine Landing Road	S4
Fort Johnson Road [1]	S3	Plow Ground Road	S4
Hamlin Road	S3	Raccoon Island Road	S4
Harborview Road	S1	Rifle Range Road	S3
Highway 162	S4	River Road [1]	S5
Highway 165	S4	Riverland Drive [1]	S4
Highway 17 (Hwy. 41 to County Line)	S5	Rivers Avenue	S1
Highway 17 (east of Isle of Palms Connector to Hwy. 41, not including Old Georgetown Hwy "Loop" Area)	S4	Rutledge Road	S4
Highway 17 in the Old Georgetown Road "Loop" area (as designated on the Mount Pleasant Overlay map)	S1	Saint Andrews Boulevard	S1
Highway 17 (west of the Isle of Palms Connector including bypass)	S1	Savannah Highway [Bees Ferry Rd. to County Line] otherwise S2	S3
Highway 174 (Highway 164 to Edisto Beach) [1]	S5	Seewee Road	S4
Highway 174 (Highway 17 to Highway 164)	S3	South Santee Road	S4
Highway 41	S4	Steamboat Landing Road (Jenkins Hill Rd to Steamboat Creek)	S4
Highway 45	S4	Tibwin Road	S4
Humbert Road	S3	Toogoodoo Road	S4
James Island Bridge/Highway 61 Connector	S3	Venning Road	S3
James Island Expressway	S4	Wappoo Road	S1
Liberia Road	S4	Wescott Road	S4
Long Point Road (SPA Wando Terminal to I-526)	S1	Willtown Road	S4
Long Point Road (Outside of MP-O district) [1]	S4		

[1] Denotes Scenic Road designation that shall require protection under the provisions of this Ordinance of all trees 6 inches or greater in diameter breast height (DBH) which are located within rights-of-way.

[2] S6 for industrial use; S5 all other uses.

## 5. 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	35	50	75	100
<b>MINIMUM BUFFER LANDSCAPING</b> (Plants per 100 linear feet)[2][3]						
Canopy Trees[4]	2	2	4	6	9	12
Understory Trees (at least 50 percent evergreen)	3	4	6	9	12	15
Shrubs	25	30	40	50	60	75
Street Trees (may be counted toward canopy tree req.)[5]	2	2	2	2	2	NA

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 all road or street rights-of-way of S3 designation or greater. The Planning Director shall be authorized to waive/modify minimum buffer planting requirements when an undisturbed natural buffer exists that is the same depth and amount of plant material as that which is required.

[3] Bradford Pears cannot be used to fulfill any of the tree requirements of this Ordinance. Any exotic species 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.

[5] Street trees are trees planted in rights-of-way for the purpose of fulfilling these requirements. Any planting in rights-of-way must be approved by party(ies) authorized to grant encroachment.

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											
	Residential Type			Zoning District								Agricultural Use
	1	2	3	R [1]	OR	OG	CN	CT	CR	CC	I	
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	-	-	-	-	-	-	-	-
Commercial Type 1	B	B	B	B	-	-	-	-	-	-	-	-
Commercial Type 2	C	C	C	C	C	B	B	-	-	-	-	-
Industrial Type 1	E	E	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 allowed by right in an OR, OG or CN district; Type 2 = 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
<b>MINIMUM BUFFER DEPTH</b> (feet from property line)	10	15	25	40	60	100
<b>MINIMUM LAND USE BUFFER LANDSCAPING</b> (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 8 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 ten feet. Required buffers shall be noted on all plats, plans and permit requests submitted for review and approval under this Ordinance.

### 2. Plant Material Within Buffers

Plant material within required buffers shall be selected and spaced properly to allow plant material to thrive considering site specific conditions. Plant material to be located adjacent to public drainage easements and right-of-ways shall be selected and placed to not create future access or maintenance impediments including low lying lateral branches. Additionally, plant material within required buffers that contain utility easements shall be selected and sited to minimize pruning for future maintenance and clearance of such utilities. The Planning Director must approve all selections and may require modifications (substitutions and relocation) of plant material on proposed landscape plans when necessary to assure access and ease of maintenance to any easements and right-of-ways and to preserve the public health, safety and welfare.

### 3. 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 1/2 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 ten.

### 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 six feet.

- 2. Berms**

Earthen berms shall have a minimum height of three 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 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.

## **ARTICLE 9.6 ARCHITECTURAL AND LANDSCAPE DESIGN STANDARDS**

### **§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 three feet or more or other multidimensional design features to break up large wall surfaces on their street facing elevations. Wall surfaces shall be visually divided by such features into areas of 750 square feet or less.
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 domineering or overpowering architectural features are strongly discouraged.
6. Long, monotonous facade design, including, but not limited to, those characterized by unrelieved repetition of shape or form, or by unbroken extension of line, shall not be permitted.
7. The architectural design and material finish of buildings, signage, gasoline pump canopies, and other necessary structures shall be compatible with one another and with adjacent and surrounding structures where such structures are substantially in compliance with these requirements.
8. Structures 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 complementary. In no case shall garish colors be permitted. In general, no more than three different colors per building shall be allowed.

**D. Multiple-Building Developments**

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

**E. Building Orientation**

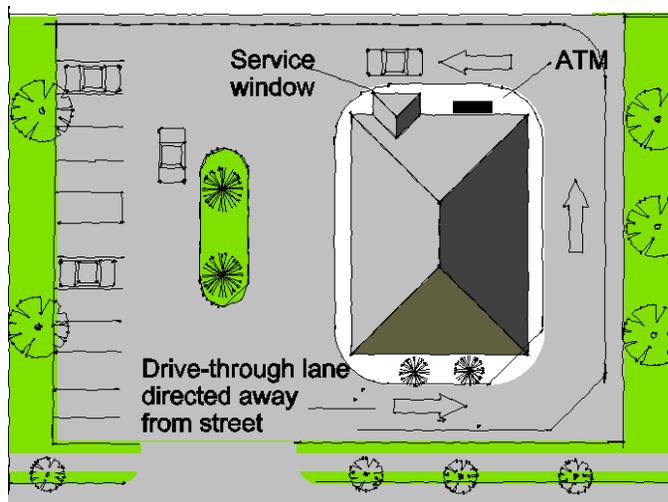
1. To the maximum extent feasible, primary facades and entries should face the adjacent street. Except in industrial districts, a main entrance shall face the adjacent street or a connecting walkway with a direct pedestrian connection to the street without requiring pedestrians to walk through parking 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 and Trash Receptacle Screening**

Locations of all mechanical equipment and dumpsters shall be shown on all site plans. All mechanical equipment and trash receptacles shall be shielded and screened from public view. Mechanical equipment shall be shielded with walls, fencing or landscaping that screens the equipment entirely. Dumpsters shall be screened with a minimum 6-foot opaque fence or wall on all four sides and located toward the side or rear of the principle structure.

- G.** All order boxes, menu stands, pickup windows, service/teller windows, and required vehicle stacking associated with drive thru services shall be located to the side or rear of buildings. For the purpose of this Section, the side or rear shall mean the area behind a projected line running parallel from the front (street facing) side(s) of the structure to the side property lines. This concept is depicted in the graphic below:



**§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 [also] for their aesthetic value and must compliment [complement] 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 offices or utilities.

**C. Site Lighting**

Site lighting shall be from a concealed light source fixture and shall not interfere with the vision of vehicular traffic. A lighting plan with photo-metrics shall be stamped and signed by a registered professional engineer and comply with the following criteria:

1. Maximum average foot-candles shall not exceed 5 foot candles as depicted on photometric plans with a maximum not to exceed 12 foot candles close to light sources. Maximum foot candles under gasoline canopies and outdoor sales lots shall not exceed 30 foot candles.
2. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed one-half foot candle 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.

## **ARTICLE 9.7 WETLANDS, WATERWAYS AND OCRM CRITICAL LINE**

### **§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:

**§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.

**ARTICLE 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 non-commercial copy in lieu of any other copy. Non-commercial 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, Balloons, 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; and
11. Off-Premises Signs (except Billboards, Shared Signs and Bona Fide Agricultural Use Signs as defined by this Ordinance).

**D. House Numbers**

All permanent, free-standing, On-Premises signs shall contain house numbers containing number at least four inches in height. The area devoted to required house numbers shall not be included in the calculation of maximum sign area.

**E. Illumination**

All lighted On-Premises signs shall comply with all dimensional standards set forth in this Ordinance. Additionally, all non-LED internally illuminated signs on property not adjacent to commercial or industrial uses shall have an opaque background on the sign face with a maximum of 80 watts per bulb and no more than one bulb per foot in height of the sign face. See section 9.11.2.F for illumination requirements for LED message board signs.

**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 ten 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.

2. 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**

1. 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.
2. A maximum of one 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.
3. All new free-standing signs are to be designed as monument signs, pedestal style signs or pole mounted signs.
4. All pedestal style signs shall have a pole skirt.
5. The predominate materials used for free-standing signs, excluding copy material or materials not visible from the public right-of-way, must incorporate the following:
  - a. If the predominate building materials colors and design elements on the principal building conform to Section 9.6.3B. of this Ordinance, the exterior sign materials must compliment those found on the principal structure as reviewed and approved through the site plan review process. Materials, design and color of the sign do not need to be the same as those found on the principle structure to be considered complimentary.
6. Signs that are located in parking lots (such as directional signs) may be internally lit when constructed with routed letters or an opaque background.
7. The hanging or attachment of objects is not permitted unless they are shown on the drawings approved for sign construction and meet all the requirements of this Ordinance.
8. When calculating the sign area of a "monument sign", "pedestal sign", or "pole sign", the internal structural framework supporting the sign or other solid structural features (not containing copy or any graphic, word, symbol, insignia, text sample, model, device, or combination thereof which is primarily intended to advertise, identify or notify, exclusive of a frame or border) shall not be used in the calculation of the maximum area of the sign. Signs may be mounted on a base or foundation that will not

be included in the square footage; however, the base for monument signs must be as wide as the sign.

**B. Wall/Facade Signs**

1. A maximum of two signs shall be allowed per wall/facade, with a maximum of four per building. Total area of all signs shall not exceed square footage of Table 9.11.2-B.
2. Maximum size of wall/facade signs is dependent upon building frontage and setback, in accordance with Table 9.11.2-B.
3. The hanging or attachment of objects is not permitted unless they are shown on the drawings approved for sign construction and meet all the requirements of this Ordinance.
4. Awning Signs
  - a. The use of awnings for the purpose of providing signage will be considered a wall sign. The awning signage must meet all dimensional and intensity standards applicable to wall signs in this Article.
  - b. For purposes of the subsection, an awning sign is a sign used for the purpose of providing signage and must be located above a display window or entryway.
  - c. Text or graphic shall be limited to the face of an awning.

**TABLE 9.11.2-A  
FREE-STANDING ON-PREMISES SIGNS**

ZONING DISTRICT													
Requirement [1] [2]	Agricultural	Residential	Non-Residential										
Maximum Area (sq. ft.)	10 (32 with Special Exception)	10	<table border="0"> <tr> <td><u>Bldg. Size (sq. ft.)</u></td> <td><u>Sign Size</u></td> </tr> <tr> <td>0 sq. ft. to 2,500 sq. ft.</td> <td>= 50</td> </tr> <tr> <td>2,500 sq. ft. to 25,000 sq. ft.</td> <td>= 100</td> </tr> <tr> <td>25,000 sq. ft. to 100,000 sq. ft.</td> <td>= 150</td> </tr> <tr> <td>100,000 sq. ft. +</td> <td>= 200</td> </tr> </table>	<u>Bldg. Size (sq. ft.)</u>	<u>Sign Size</u>	0 sq. ft. to 2,500 sq. ft.	= 50	2,500 sq. ft. to 25,000 sq. ft.	= 100	25,000 sq. ft. to 100,000 sq. ft.	= 150	100,000 sq. ft. +	= 200
<u>Bldg. Size (sq. ft.)</u>	<u>Sign Size</u>												
0 sq. ft. to 2,500 sq. ft.	= 50												
2,500 sq. ft. to 25,000 sq. ft.	= 100												
25,000 sq. ft. to 100,000 sq. ft.	= 150												
100,000 sq. ft. +	= 200												
Maximum Height (ft.)	14	5	5-foot setback = 20 ft. maximum height  OR Districts: 5 ft. minimum setback-6 ft. 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/Int) (ft.)	10/10	10/10	5/10										
Max. No. Sign Faces	2 per sign	2 per sign	2 per sign										
Max. No. Signs	2 per major frontage	1 per major frontage	1 per major road frontage										

[1] Sign regulations for the CT Zoning District can be found in Section 4.22.4.

[2] Sign regulations for properties located in overlay districts can be found in Chapter 5.

**TABLE 9.11.2-B WALL/FACADE SIGNS**

Building Length Facing Street	Setback	Maximum Size (sq. ft.)
50 feet or less	0—99 ft.	50
	100—399 ft.	100
	400 or more ft.	150
More than 50 feet	0—99 ft.	Bldg. Frontage x 1
	100—399 ft.	Bldg. Frontage x 2
	400 or more ft.	Bldg. Frontage x 3

**C. Special Signs**

1. Maximum size, number, and height of special signs shall conform with Table 9.11.2-C.
2. Temporary Signs
  - a. **Size, Number and Height**  
Maximum size, number and height of temporary signs shall conform with Table 9.11.2-C.
  - b. **Types**  
Commercial and Non-Commercial Temporary Signs of the following varieties are permitted:
    - i. Portable signs are permitted in accordance with standards of the National Electrical Code and anchoring provisions of the Standard Building Code.
  - c. **Duration**
    - i. Non-Commercial Temporary Signs shall be allowed for a maximum of 30 days per event.
    - ii. Commercial signs temporary [Temporary Signs] shall be allowed for a maximum of 30 days, starting with the opening of a business.

**D. Real Estate Signs**

1. Maximum size, number and height of real estate signs shall conform with Table 9.11.2-C of this Chapter.
2. Signs shall face a maximum of two directions, and may be mounted back-to-back or V'ed.
3. 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 one sign.
4. Where signs face two directions, whether back-to-back or V'ed, both signs must be the same standard size.

**E. Flags Used As Signs**

1. 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.

2. 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.
3. 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.
4. 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.
5. 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
Subdivision/Multi-Family I.D. Signs	32 sq. ft.	2 per entrance	Minimum setback: 5 ft. Maximum height: 12 ft.
Directional	3 sq. ft.	Unlimited	4 ft.
Temporary Signs: Includes real estate signs, grand openings and permitted special events	48 sq. ft. Time Limit: Shall be removed no later than 15 days after the conclusion of the sale, event, or first day of grand opening	1 per 1500 ft. frontage Maximum: 3 per lot	Minimum setback: 5 ft. Maximum height: 12 ft. Maximum 6 ft. height in residential zoning districts
Flags	60 sq. ft.	3 per zoning lot	35 ft. or 15 ft. above highest point of roof
Civic/Institutional	100 sq. ft. 50 sq. ft. in Residential or Agricultural uses	1 per zoning lot	Min. setback: 5 ft. Max. height 12 ft. Sign must have opaque background except the marquee. Marquee cannot exceed 25% of total sign size

#### **F. Shared Free Standing Signs**

1. Off-premises shared free standing signs are allowed in the Commercial and Industrial zoning districts for the advertisement and identification of two or more businesses or residential developments located on separate parcels.
2. One shared sign is allowed at the location of a jointly shared curb cut/entry drive.

3. Multiple businesses may participate on multiple shared signs; however, a business that participates on a shared free standing sign shall not be allowed to erect a single tenant on-premise free-standing sign.
4. Participating businesses must either share a property boundary on at least one (1) side or be part of an approved multi parcel development.
5. The size of a shared sign face may be one and one half (1.5) times the size allowed by the accumulated building square footages of the subject businesses advertised as defined in Table 9.11.2-A. Shared free standing signs must meet all other setback and dimensional standards for Non-Residential Free Standing Signs including all architectural standards and overlay district requirements of this Ordinance.

**G. Light Emitting Diode (LED) Message Board Signs**

An LED Message Board may be permitted as part of a free standing sign provided that documentation has been submitted demonstrating that it complies with all applicable sections of this ordinance and the following standards:

1. The sign is within the Urban/Suburban Area of the County as defined by the Urban Growth Boundary (UGB) and located on and adjacent to (share side property boundaries) parcels with the Community Commercial (CC) or Industrial (I) zoning district classification.
2. The sign is not located within any of the Overlay or Special Purpose Districts as described in Chapter Five of this Ordinance.
3. The sign is monument style, maximum ten (10) feet in height and the electronic message board constitutes no more than twenty-five percent (25%) of the overall allowable sign area as defined by Table 9.11.2-A.
4. The electronic message board will exhibit low intensity, night dimming red or amber text (no graphics) on a black background associated only with the business of the subject parcel and the text will not scroll, fade, or move except on and off.
5. The copy will not change at intervals less than eight (8) seconds on LED signs that front on roads with a speed limit of forty-five (45) mph or greater and fifteen (15) seconds on roads with a speed limit less than forty-five (45) mph. On corner or double frontage lots, the required time interval will be based upon the speed limit of the road which the parcel is addressed.

**H. Sandwich Board/Sidewalk Sign**

1. A permit may be issued for a maximum of two sandwich board signs per lot or business provided the signs comply with the following criteria:
  - a. The sign is located within the Commercial zoning districts on the subject parcel or in front of the business being advertised.

- b. It is a maximum of three (3) feet in height with a maximum of nine (9) square feet per sign face.
- c. The sign is erected only during the hours of operation of the subject business and must be removed daily after close of business.
- d. The sign is not located within any right of ways or within any pedestrian ways which would impede or interfere with vehicular or pedestrian use of roads, sidewalks or seating areas.

**I. Nonconforming Signs**

Refer to Chapter 10, Nonconformities, of this Ordinance.

**§9.11.3 BILLBOARDS (Outdoor Advertising Structures)**

**A. Outdoor Advertising of America Standards**

All Billboards shall be constructed in compliance with Outdoor Advertising of America Standards.

**B. Location and Setbacks**

Billboards shall be allowed in those zoning districts indicated in Chapter 6.

**TABLE 9.11.3-A  
BILLBOARDS**

<b>Maximum Length</b>	48 ft.
<b>Maximum Width</b>	14 ft.
<b>Maximum Area</b>	672 sq. ft.
<b>Maximum Height</b>	40 ft.
<b>Minimum Setback (front/side)</b>	25/20 ft.
<b>Location Criteria</b>	1,000 ft.
Minimum distance to nearest billboard	
Minimum distance to nearest on-premises sign	500 ft.

**C. Orientation**

1. Signs shall face a maximum of two directions, and may be mounted back to back or V'ed.
2. Where signs are V'ed, the space between panels shall not exceed three feet at the point at which panels are closest, and the interior angle formed by signs shall not exceed 90 degrees.

**D. Compatible Size Signs**

Where signs face two directions, whether back to back or V'ed, both signs must be the same standard size.

- E. Nonconforming Signs**  
Refer to Chapter 10, Nonconformities.

**TABLE 9.11.3-A  
OFF-PREMISES SIGNS**

<b>Maximum Length</b>	48 ft.
<b>Maximum Width</b>	14 ft.
<b>Maximum Area</b>	672 sq. ft.
<b>Maximum Height</b>	40 ft.
<b>Minimum Setback (front/side)</b>	25/20 ft.
<b>Location Criteria</b>	1,000 ft.
Minimum distance to nearest off-premises sign	
Minimum distance to nearest on-premises sign	500 ft.

#### ARTICLE 9.12 DRAINAGE DESIGN

Refer to the Charleston County Stormwater Management Ordinance # 1518 approved on August 14, 2007 and found in Appendix B of this Ordinance.

## **APPENDIX B**

**This Appendix contains copies of letters of coordination and consent of approval from outside agencies that have a vested interest in the objectives of the Commonwealth Planned Development.**

Robert M Rakoske  
Fire Chief / EFO

Awendaw District  
Fire Department



ISO Class 6

Office 843-928-3000  
Fax 843-928-3155  
Mobile 843-693-4319  
843-693-4319@vtext.com

6384 Maxville Road  
Awendaw, SC 29429

mrakoske@charlestoncounty.org

---

June 11, 2009

Charleston County Planning Department  
4045 Bridge View Drive  
North Charleston, SC 29405

Re: Berkeley Electric Cooperative  
1218 Lieben Rd. Awendaw 29429

This will serve as a Letter of Coordination for Berkeley Electric Cooperative tower relocation project. The Awendaw Fire Department provides fire protection to this property.

If, I may be of any more assistance please feel free to contact me.

Thank you,

A handwritten signature in black ink that reads "Robert M. Rakoske".

Robert M. Rakoske  
Fire Chief / EFO

June 10, 2009

Ms. Leigh Scott  
Historic Preservation Consultants  
P.O. Box 1112  
Charleston, SC 29402

Re: Proposed 120-foot Monopole Tower  
3745 Highway 17  
Awendaw, Charleston County, South Carolina  
Berkeley Electric Cooperative Commonwealth Substation Site  
SHPO Project No. 08-RD0593

Dear Ms. Scott:

Thank you for updating us on the status of the above-referenced project. This project was originally reviewed in October of 2008. We understand that the original tower height of 140 feet has been decreased to 120 feet.

Based on the FCC-standardized 0.5-mile Area of Potential Effect (APE) for the visual effects of a 120-foot communications tower, our office concurs that no properties included in or eligible for inclusion in the National Register of Historic Places will be visually affected by this project. Based on the FCC-standardized APE for the direct effects of a communications tower, which is the footprint of the tower construction, we concur that no historic properties will be directly affected by this project.

These comments by the State Historic Preservation Office are required by the Federal Communications Commission's 2005 Nationwide Agreement For Review of Effects on Historic Properties for Certain Undertakings. If you have questions, please contact me at (803) 896-6169 or [cwilson@scdah.state.sc.us](mailto:cwilson@scdah.state.sc.us).

Sincerely,

Caroline Dover Wilson  
Review and Compliance Coordinator  
State Historic Preservation Office



Federal Aviation Administration  
 Air Traffic Airspace Branch, ASW-520  
 2601 Meacham Blvd.  
 Fort Worth, TX 76137-0520

Aeronautical Study No.  
 2009-ASO-558-OE  
 Prior Study No.  
 2008-ASO-3122-OE

Issued Date: 02/23/2009

Dennis Grant  
 Berkeley Electric Cooperative  
 414 Hwy 52 N  
 Moncks Corner, SC 29461

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Commonwealth substation monopole
Location:	Mount Pleasant, SC
Latitude:	32-52-55.50N NAD 83
Longitude:	79-45-08.40W
Heights:	120 feet above ground level (AGL) 138 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 08/23/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.**

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (770) 909-4156. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-ASO-558-OE.

**Signature Control No: 617491-108365681**  
Richard Biscomb  
Specialist

( DNE )

Attachment(s)  
Frequency Data



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2009-ASO-558-OE  
Prior Study No.  
2008-ASO-3122-OE

Issued Date: 09/23/2009

Dennis Grant  
Berkeley Electric Cooperative  
414 Hwy 52 N  
Moncks Corner, SC 29461

**\*\* Extension \*\***

A Determination was issued by the Federal Aviation Administration (FAA) concerning:

Structure:	Antenna Tower Commonwealth substation monopole
Location:	Mount Pleasant, SC
Latitude:	32-52-55.50N NAD 83
Longitude:	79-45-08.40W
Heights:	120 feet above ground level (AGL) 138 feet above mean sea level (AMSL)

In response to your request for an extension of the effective period of the determination, the FAA has reviewed the aeronautical study in light of current aeronautical operations in the area of the structure and finds that no significant aeronautical changes have occurred which would alter the determination issued for this structure.

Accordingly, pursuant to the authority delegated to me, the effective period of the determination issued under the above cited aeronautical study number is hereby extended and will expire on 03/23/2011 unless otherwise extended, revised, or terminated by this office.

This extension issued in accordance with 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerns the effect of the structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this extension will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (404) 305-7084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2009-ASO-558-OE.

**Signature Control No: 617491-118849604**  
Richard Biscomb  
Specialist

(EXT)



October 6, 2008

Ms. Leigh Scott  
Historic Preservation Consultants  
P.O. Box 1112  
Charleston, SC 29402

Re: Proposed 140-foot Monopole Tower  
3745 Highway 17  
Awendaw, Charleston County, South Carolina  
Berkeley Electric Cooperative Commonwealth Substation Site  
SHPO Project No. 08-RD0593

Dear Ms. Scott:

Thank you for a completed FCC Form 620 for the above-referenced project, which we received on September 22. We appreciate your work in identifying historic properties for this undertaking.

Based on the FCC-standardized 0.5-mile Area of Potential Effect (APE) for the visual effects of a 140-foot communications tower, our office concurs that no properties included in or eligible for inclusion in the National Register of Historic Places will be visually affected by this project. Based on the FCC-standardized APE for the direct effects of a communications tower, which is the footprint of the tower construction, we concur that no historic properties will be directly affected by this project.

These comments by the State Historic Preservation Office are required by the Federal Communications Commission's 2005 Nationwide Agreement For Review of Effects on Historic Properties for Certain Undertakings. If you have questions, please contact me at (803) 896-6169 or [dobrasko@scdah.state.sc.us](mailto:dobrasko@scdah.state.sc.us).

Sincerely,

*Rebekah Dobrasko*

Rebekah Dobrasko  
Review and Compliance Coordinator  
State Historic Preservation Office

June 10, 2009

Ms. Leigh Scott  
Historic Preservation Consultants  
P.O. Box 1112  
Charleston, SC 29402

Re: Proposed 120-foot Monopole Tower  
3745 Highway 17  
Awendaw, Charleston County, South Carolina  
Berkeley Electric Cooperative Commonwealth Substation Site  
SHPO Project No. 08-RD0593

Dear Ms. Scott:

Thank you for updating us on the status of the above-referenced project. This project was originally reviewed in October of 2008. We understand that the original tower height of 140 feet has been decreased to 120 feet.

Based on the FCC-standardized 0.5-mile Area of Potential Effect (APE) for the visual effects of a 120-foot communications tower, our office concurs that no properties included in or eligible for inclusion in the National Register of Historic Places will be visually affected by this project. Based on the FCC-standardized APE for the direct effects of a communications tower, which is the footprint of the tower construction, we concur that no historic properties will be directly affected by this project.

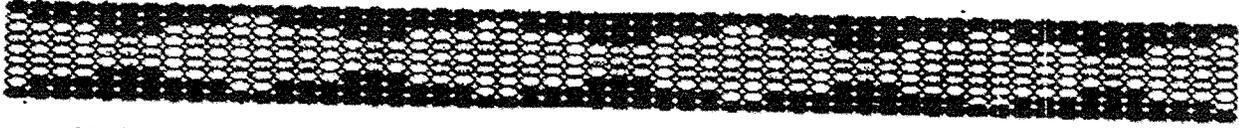
These comments by the State Historic Preservation Office are required by the Federal Communications Commission's 2005 Nationwide Agreement For Review of Effects on Historic Properties for Certain Undertakings. If you have questions, please contact me at (803) 896-6169 or [cwilson@scdah.state.sc.us](mailto:cwilson@scdah.state.sc.us).

Sincerely,

Caroline Dover Wilson  
Review and Compliance Coordinator  
State Historic Preservation Office

Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-320-5791



27 October 2008

Attention: Leigh Scott  
Historic Preservation Consultants  
P.O. Box 1112  
Charleston, SC 29402

Re. THPO #	TCNS #	Project Description
2009-334-1	SHPO 08-RJ0592	Lattice Tower Goose Creek, Berkeley County SC
2009-334-2	SHPO 08-RD0593	Monopole Tower 3745 Hwy 17 Awendaw Charleston Co., SC

Dear Ms. Scott

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

The research and processing fee for each project is \$150. For accounting purposes, checks must be made out to the Catawba Indian Nation THPO (CIN-THPO).

If you have questions please contact Beckee Garris at 803-328-2427 ext. 232, or e-mail [beckeeg@ccppcrafts.com](mailto:beckeeg@ccppcrafts.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer

Catawba Indian Nation  
Tribal Historic Preservation Office  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-328-5791



30 September 2009

Attention: Leigh Scott  
Historic Preservation Office  
P.O. Box 112  
Charleston, SC 29402

Re: THPO #	TCNS #	Project Description
2009-334-1	SHPO 08-RD0592	Lagice Tower Goose Creek, Berkeley County SC
2009-334-2	SHPO 08-RD0593	Monopole Tower 3745 Hwy 17 Charleston Co, SC

Dear Ms. Scott,

The Catawba have no immediate concerns with regards to the traditional cultural properties, sacred sites or native American archaeological sites within the boundaries of the proposed project area. However, the Catawba are to be notified if Native American artifacts and/or human remains are located during the ground disturbance phase of these projects.

The research and processing fee for each project is \$150.00. For accounting purposes, checks must be made out to the Catawba Indian nation THPO (CIN-THPO).

If you have any questions please contact Beckee Garris at 803-328-2427-232, or e-mail [beckee@ccppcrafts.com](mailto:beckee@ccppcrafts.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer

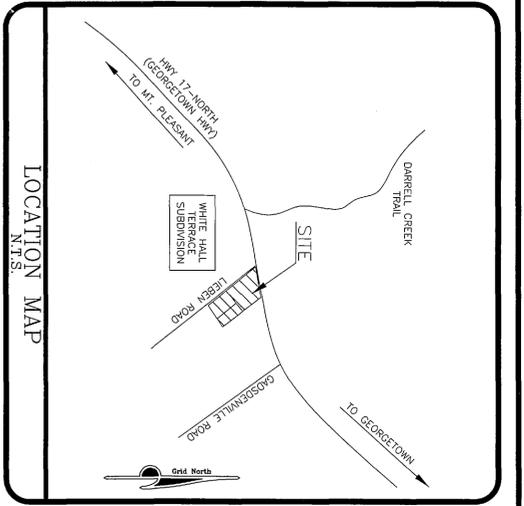
# Exhibit 1

**This Exhibit contains:**

**a copy of the record Plat for TMS 614-00-00-155**

**the recorded deed**

**the Existing Conditions Plan for TMS 614-00-00-155**



TMS 614-00-00-033 IS ZONED CC  
TMS 614-00-00-035 IS ZONED R4

**APPROVED FINAL PLAT**  
 Director of Planning  
 Charleston County Planning Commission  
 Charleston County, SC  
 Appl. # 36M-2463  
 Date May 13, 2010

<b>RECORDED</b>	
DATE:	May 14, 2010
TIME:	3:38:29 PM
Book/Sheet:	110 / 0138
DocType:	Large Plat
Charl. Ljbrnd. Register:	Charleston County, SC
Location:	LIBBEN ROAD

**CHARLESTON COUNTY'S STAMP BOX**

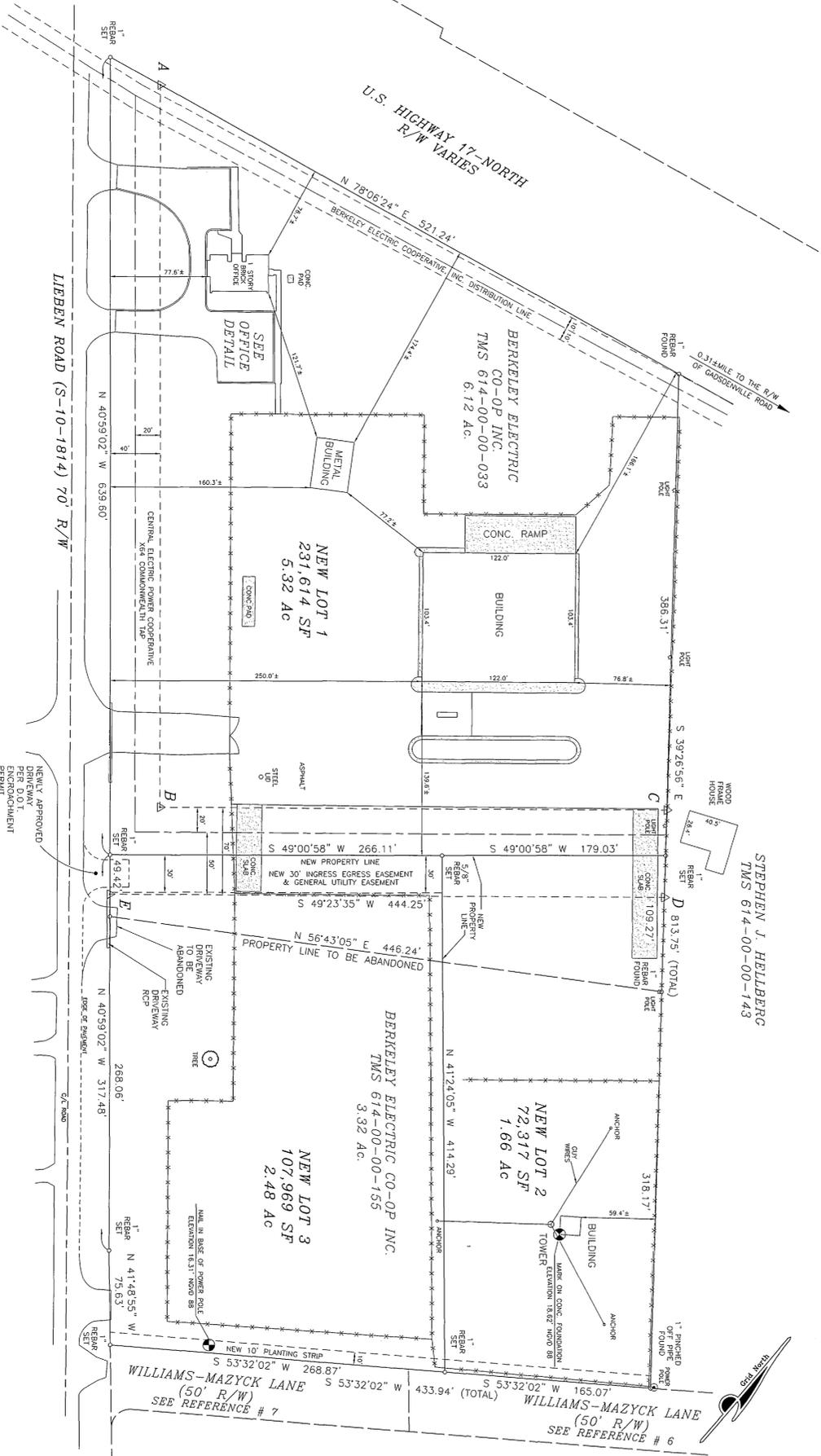
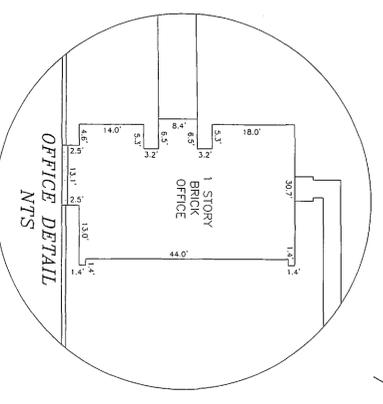
**ACREAGE CHART**

NEW LOT 1	231,614 SF	5.32 Ac.
NEW LOT 2	72,317 SF	1.66 Ac.
NEW LOT 3	107,969 SF	2.48 Ac.
<b>TOTAL</b>	<b>411,900 SF</b>	<b>9.46 Ac.</b>

**LINE LENGTH BEARINGS**

A TO B	S 40°59'02" E
B TO C	S 89°13'48" W
C TO D	S 89°26'44" W
D TO E	S 89°13'48" W

- REFERENCES:**
- 1) PLAT BY JAMES G. PENNINGTON, DATED: AUGUST 14, 1997 AND RECORDED IN PLAT BOOK EC, PAGE 336.
  - 2) PLAT BY GEORGE D. SAMPLE, DATED: SEPTEMBER 1, 1978 AND RECORDED IN PLAT BOOK S, PAGE 61.
  - 3) PLAT BY HERBERT A. NEWMYER, JR., DATED: MAY 1, 1978 AND RECORDED IN PLAT BOOK "A", PAGE 139.
  - 4) PLAT BY HERBERT A. NEWMYER, JR., DATED: AUGUST 2, 1978 AND RECORDED IN PLAT BOOK AL, PAGE 79.
  - 5) PLAT BY MICHAEL RALPH MILLS, DATED: JULY 1, 2007 SHOWING EXHIBIT "A" PREPARED FOR CENTRAL ELECTRIC CO-OP INC. COMMONWEALTH TP# SHEETS 1-6 NOT RECORDED.
  - 6) PLAT BY K.T. DUBS, DATED: MAY 23, 1983 AND RECORDED IN PLAT BOOK BA, PAGE 086.
  - 7) PLAT BY JAMES G. PENNINGTON, DATED: AUGUST 14, 1997 AND RECORDED IN PLAT BOOK EL, PAGE 336.



- NOTES:**
- 1) AREA WAS DETERMINED BY THE COORDINATE METHOD.
  - 2) THIS PROPERTY IS LOCATED IN FLOOD ZONE X. SEE PLAT NO. 45019C-0343 & MAP REVISED: 11/17/2004.
  - 3) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.
  - 4) 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.
  - 5) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT AS STATED IN THE INSTRUMENT. THE CONTRACTED PARTIES TO THE REQUESTED SERVICES, ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
  - 6) DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.
  - 7) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED BY ASHLEY SURVEYING, INC. FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.
  - 8) THIS PROPERTY DOES NOT CONTAIN ANY WETLAND AREAS OR OTHER WATERS OF THE UNITED STATES, PER LETTER FROM THE ARMY CORPS OF ENGINEERS, DATED MARCH 31, 2009, SAC# 2009-00304-24H.
- SPECIAL NOTES:**
- 1) ANY FUTURE SUBDIVISION OF THIS PARCEL, OR ROAD CONSTRUCTION OR EXTENSION OF THE EXISTING ROADS SHOWN HEREON SHALL REQUIRE COMPLIANCE WITH THE CHARLESTON COUNTY ZONING & SUBDIVISION ORDINANCES AND ALL APPLICABLE STATE AND FEDERAL LAWS. ANY DEDICATION OF ROADS INTO THE COUNTY ROAD SYSTEM, THE PROPERTY OWNER SHALL CONSTRUCT THE ROADS TO THE COUNTY OF CHARLESTON STANDARDS.
  - 2) IT IS HEREBY EXPRESSLY UNDERSTOOD BY THE PROPERTY OWNER AND THE PUBLIC RECORDS PURCHASER OF ANY LOT SHOWN ON THIS PLAT THAT THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROAD, COMMON AREAS, DRAINAGE SYSTEMS AND ANY OTHER MUNICIPAL SERVICES WHICH INCLUDE BUT NOT LIMITED TO, GARBAGE DISPOSAL, PUBLIC SEWAGE, FIRE PROTECTION, OR EMERGENCY MEDICAL SERVICE.
  - 3) BE AWARE THAT THE COUNTY OF CHARLESTON IS NOT RESPONSIBLE FOR THE MAINTENANCE OF THE STREETS, ROAD, COMMON AREAS, DRAINAGE SYSTEMS AND ANY OTHER MUNICIPAL SERVICES WHICH INCLUDE BUT NOT LIMITED TO, GARBAGE DISPOSAL, PUBLIC SEWAGE, FIRE PROTECTION, OR EMERGENCY MEDICAL SERVICE.
  - 4) NO PUBLIC FUNDS SHALL BE USED FOR THE MAINTENANCE OF THE ROADS SHOWN ON THE PLAT.
  - 5) THIS APPROVAL IN NO WAY OBLIGATES THE COUNTY OF CHARLESTON TO MAINTAIN THE 30' INGRESS-EGRESS EASEMENT & GENERAL UTILITY EASEMENT UNTIL IT HAS BEEN CONSTRUCTED TO COUNTY STANDARDS AND ACCEPTED FOR MAINTENANCE BY CHARLESTON COUNTY COUNCIL.

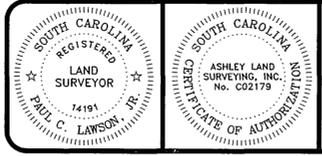
**DEDICATION STATEMENT**  
 I/WE HEREBY DEDICATE THE 30' INGRESS-EGRESS EASEMENT AND GENERAL UTILITY EASEMENT TO THE USE OF THE PROPERTY OWNERS DIMENSIONS SHOWN ON THIS PLAT FOR THE PURPOSES OF MAINTENANCE.

*Richard L. Walker*  
 REPRESENTATIVE FOR BERKELEY ELECTRIC COOPERATIVE

REVISED: MARCH 30, 2009  
 REVISED: FEBRUARY 9, 2009  
 REVISED: MAY 12, 2010

"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 A CLASS B SURVEY AS SPECIFIED THEREIN."  
*Paul C. Lawson, Jr.*  
 PAUL C. LAWSON, JR., S.C. REG. NO. 14191

SCALE: 1" = 60'  
 NOVEMBER 10, 2008



PLAT SHOWING SUBDIVISION SURVEY AND PROPERTY LINE ADJUSTMENT OF TWO TRACTS OWNED BY BERKELEY ELECTRIC CO-OP INC. LOCATED IN THE BEE HIVE SECTION OF CHRIST CHURCH PARISH CHARLESTON COUNTY, SOUTH CAROLINA

**ASHLEY LAND SURVEYING, INC.**  
 306 SANGAREE PARKWAY SUMMERVILLE, SC 29483  
 TELEPHONE: (843) 871-4416 FAX: (843) 871-9538  
 JOB NUMBER 2008-0907-004 PCL

BOOK 7 80 PAGE 304

Form No. 33-Deed, Book and Page or a Corporation  
SOUTH CAROLINA DEPARTMENT OF REVENUE

*Moultrie 100*

**THE STATE OF SOUTH CAROLINA,**

**COUNTY OF CHARLESTON**

**KNOW ALL MEN BY THESE PRESENTS, THAT**

**I, EDWARD K. PRITCHARD,**

*in the State aforesaid* for and *in consideration of the sum of* **NINETY-EIGHT HUNDRED AND**  
**00/100** ----- *Dollars,*

*to* **me** *in hand paid at and before the sealing and delivery of these Presents, by*

**BERKELEY ELECTRIC COOPERATIVE, INC., A CORPORATION,**

*in the State aforesaid* **County aforesaid** *(the receipt whereof is hereby acknowledged),*

*have granted, bargained, sold and released, and by these Presents to do grant, bargain, sell and release unto the*  
*said* **BERKELEY ELECTRIC COOPERATIVE, INC., its Successors and Assigns, the following**  
**described Real Property, to-wit:**

ALL that tract or parcel of land together with all buildings and improvements thereon, situate, lying and being in Charleston County, South Carolina, in what was formerly Christ Church Parish No. 6, but now Moultrie No. 2 School District, on the Southeastern side of U. S. Highway No. 17, and being a portion of Beehive Plantation, measuring and containing approximately 15.44 acres more or less, 5.44 acres of the said tract being the major and Southwestern portion of Lot Y of the Beehive tract as shown on a Plat made by W. P. Guerard, C. C. dated June 8, 1881 and recorded in the R. M. C. Office for Berkeley County on the 19th day of December, 1885 in Plat Book H, at page 12, and also being more particularly shown on a Plat of the same made by A. L. Glen, March 25, 1955, and ten (10) acres of the said tract consisting of the property designated as Lot Q on the plat above referred to made by W. B. Guerard, C. E. Lot Y having been conveyed to Edward K. Pritchard by Warren P. Cockcroft by deed dated October 10, 1959 and recorded in the R. M. C. Office for Charleston County in Book R-68, page 636 and Lot Q having been conveyed to Edward K. Pritchard by Pearl M. Leland and Joseph A. Newell by deed dated June 7, 1960 and recorded in the R. M. C. Office for Charleston County in Book R-70, page 641.

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before mentioned, unto the said

Berkeley Electric Cooperative, Inc.,

its successors and assigns forever.

And I do hereby bind myself and my Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said

Berkeley Electric Cooperative, Inc.

its successors and assigns against me and my Heirs and all other persons whomsoever lawfully claiming, or to claim the same, or any part thereof.

WITNESS my Hand and Seal, this  
of our Lord one thousand nine hundred and  
hundred and eighty-eighth  
States of America.

30<sup>th</sup> day of June in the year  
sixty-four and in the one  
year of the Sovereignty and Independence of the United

Signed, Sealed and Delivered }  
in the Presence of }

Walter K. Downey  
Edward K. Pritchard, Jr.

Edward K. Pritchard

(L. S.)  
(L. S.)  
(L. S.)

THE STATE OF SOUTH CAROLINA,

CHARLESTON

COUNTY.

BOOK T 80 PAGE 384

PERSONALLY appeared before me,

Helen K. Downey

and made oath that she saw the within named Edward K. Pritchard

sign, seal, and as his Act and Deed deliver the

within written Deed; and that she with Edward K. Pritchard, Jr.

witnessed the execution thereof.

SWORN to before me, this 30th

day of June A. D. 19 64

Helen K. Downey

Edward K. Pritchard, Jr. (SEAL)  
A NOTARY PUBLIC FOR SOUTH CAROLINA



THE STATE OF SOUTH CAROLINA,

RENUNCIATION OF DOWER.

CHARLESTON

COUNTY.

I,

Helen K. Downey

do hereby certify

unto all whom it may concern, that Mrs.

Julia K. Pritchard

wife of the within named

Edward K. Pritchard

did this day

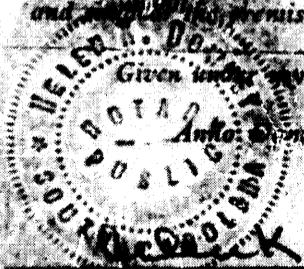
appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily, and without any compulsion, dread, or fear of any person or persons whomsoever renounce, release and forever relinquish unto the within named

Berkeley Electric Cooperative, Inc.,

its successors and assigns, all her interest and estate, and also all her right and claim of Dower, of, in, or to all and singular the premises within mentioned and released.

Given under my Hand and Seal, this 30th day of June

Anno Domini, 19 64



Helen K. Downey (SEAL)  
A NOTARY PUBLIC FOR SOUTH CAROLINA

X MRS. Julia K. Pritchard

*Harve W. Smith*

NOV 80 1964

20.00  
11.00  

---

32.75

APR 08 1964

*1/2*

Filed, Indexed and Recorded  
*July 20 1964* 10:35  
DATE TIME  
Book *180* Page *354*

*Arthur G. Ruster*  
Register-Recorder  
Charleston County, S. C.

State of South Carolina,

EDWARD K. FRITCHARD

TO

BERKELEY ELECTRIC COOPERATIVE, INC.

TITLE TO REAL ESTATE

Filed \_\_\_\_\_ day

of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

and recorded in Book

Page \_\_\_\_\_ Fee, \$ \_\_\_\_\_

R. M. C. or Clerk Court C. P. & G. S.

County, S. C.

Recorded this *20th* day

of *July* 19*64*

in Book *180* Page *183*

Fee, \$ *0.25*

*Arthur G. Ruster*

Auditor *Charles W. ...*

County, S. C.

REGISTER-RECORDERS OFFICE, CHARLESTON, S. C.

BOOK Y116 PAGE 233

RICHARD CROSS  
REF: PLAT BOOK 5, P. 61

CHRISTOPHER WILLIAMS  
S 58°37'20"W 433.94'

318.17'

S 34°20'20"E

495.58'

33.81M

NORTHBOUND LANE

NEW

521.24'

N 89°13'E

6.12 ACRES

TRACT "A"

CHARLESTON, SOUTH CAROLINA  
Office of Register Means Conveyance  
Plat recorded this 13... day of April, 1978, at  
11:59 o'clock in Plat Book M Page 21, and tracing cloth  
copy filed in File... Drawer... Folder 28... Draw-  
ing No. 29. Original plat (with print) delivered  
to HERBERT A. NIEMER, JR.

Register Means Conveyance

N 61°50'56"E 445.42'

3.32 ACRES

TRACT "B"

75.84'

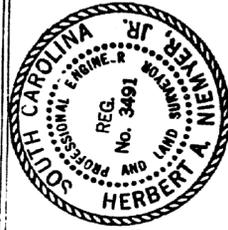
343.90'  
N 55°55'04"W

1032.70' TOTAL

N 35°55'04"W

LIEBEN ROAD - 70' R/W

PLAT



SHOWING 9.44 ACRES, BEING SUBDIVIDED INTO TWO TRACTS,  
PRESENTLY OWNED BY BERKELEY ELECTRIC COOPERATIVE, INC.  
SITUATE: THE BEEHIVE SECTION OF CHRIST CHURCH PARISH.

STATE OF SOUTH CAROLINA  
HERBERT A. NIEMER, JR.  
REGISTER OF PLATS  
AUGUST 29, 1978  
# 7287

SCALE: 1" = 60'

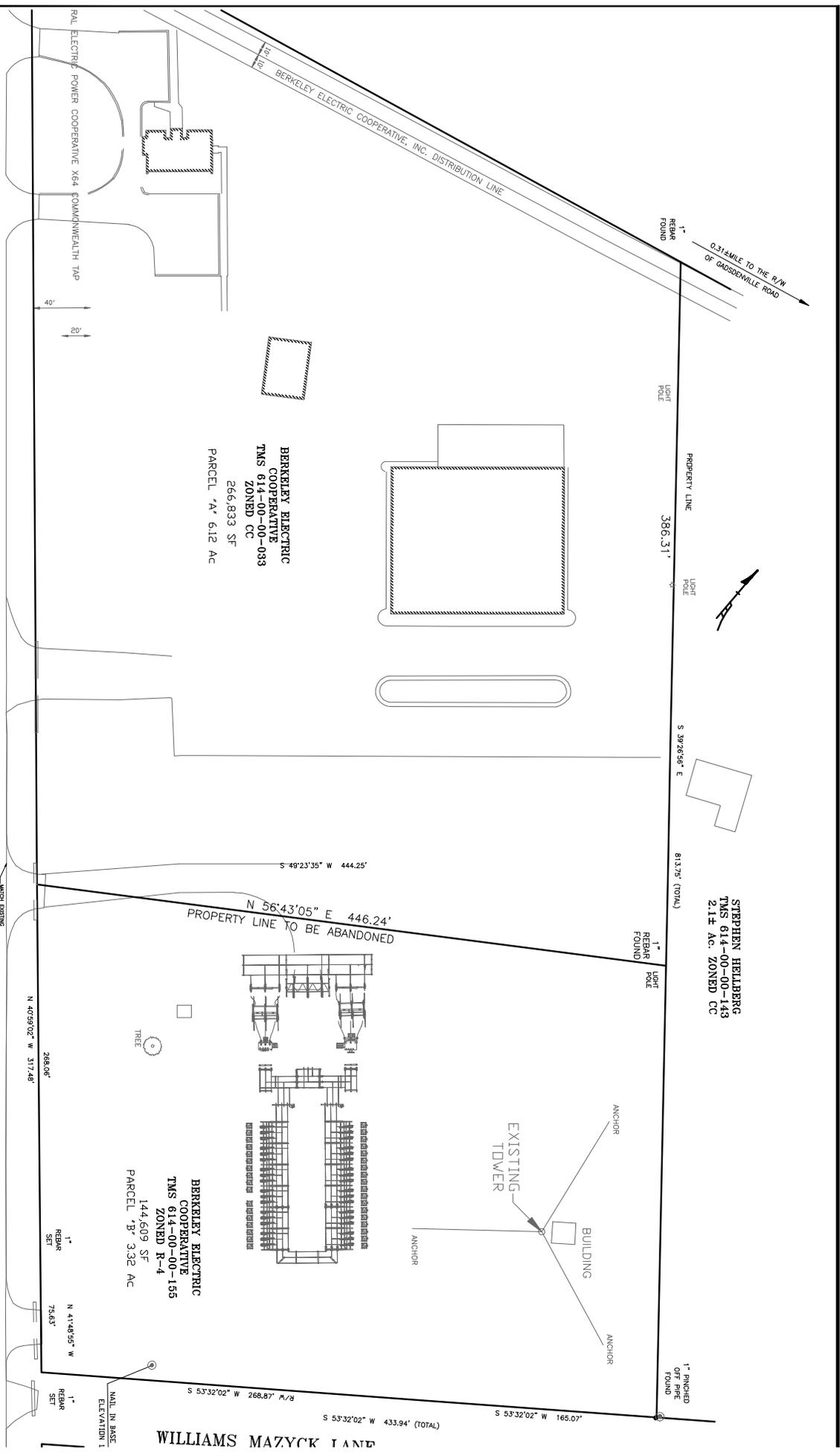
DATE: 2 AUG, 1978

CHARLESTON COUNTY  
SOUTH CAROLINA

Herbert A. Niemer, Jr.  
HERBERT A. NIEMER, JR.  
C.S. F.L.S. #3491

○ INDICATES IRON PIPE  
□ INDICATES CONC MONUMENT





STEPHEN HELBERG  
 TMS 614-00-00-143  
 2.1± AC. ZONED CC

BERKELEY ELECTRIC  
 COOPERATIVE  
 TMS 614-00-00-033  
 ZONED CC  
 266,833 SF  
 PARCEL 'A' 6.12 AC

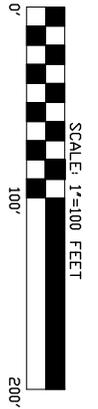
BERKELEY ELECTRIC  
 COOPERATIVE  
 TMS 614-00-00-155  
 ZONED R-4  
 144,509 SF  
 PARCEL 'B' 3.32 AC

LIEBEN ROAD

BERKELEY ELECTRIC COOPERATIVE, INC. DISTRIBUTION LINE

0.31± MILE TO THE R/W  
 OF GARDENVILLE ROAD

WILLIAMS MAZYCK LAND

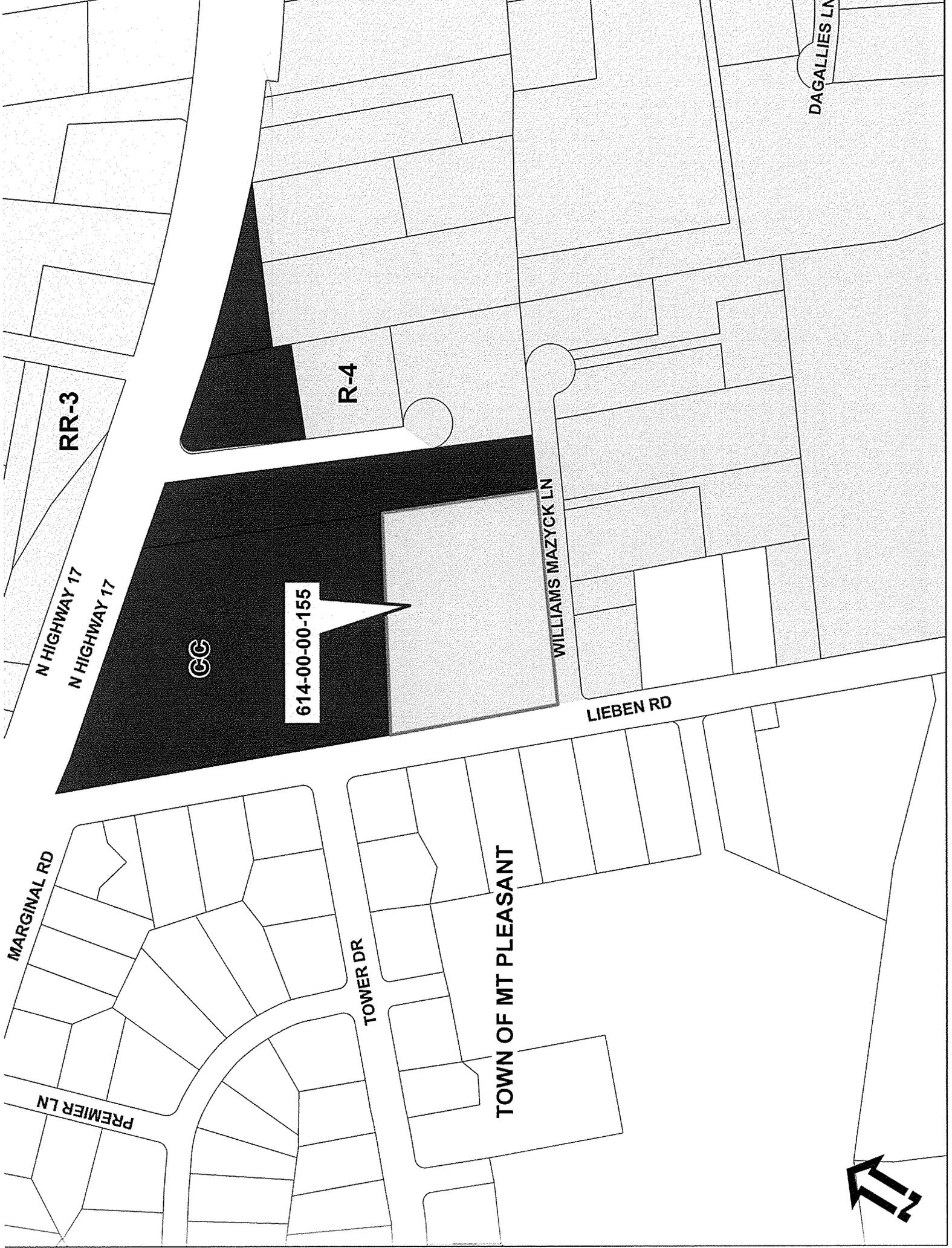


Prepared by: LOCKLAIR CONSULTING, INC.

**EXISTING CONDITIONS**  
 TMS 614-00-00-155  
 TMS 614-00-00-033  
 SITE: LIEBEN ROAD  
 Charleston County SC 29464  
 September 22, 2009

## **Exhibit 2**

**This Exhibit contains a copy of existing zoning map TMS 614-00-00-155**



RR-3

N HIGHWAY 17  
N HIGHWAY 17

R-4

DAGALLIES LN

GG

614-00-00-155

WILLIAMS MAZYCK LN

LIEBEN RD

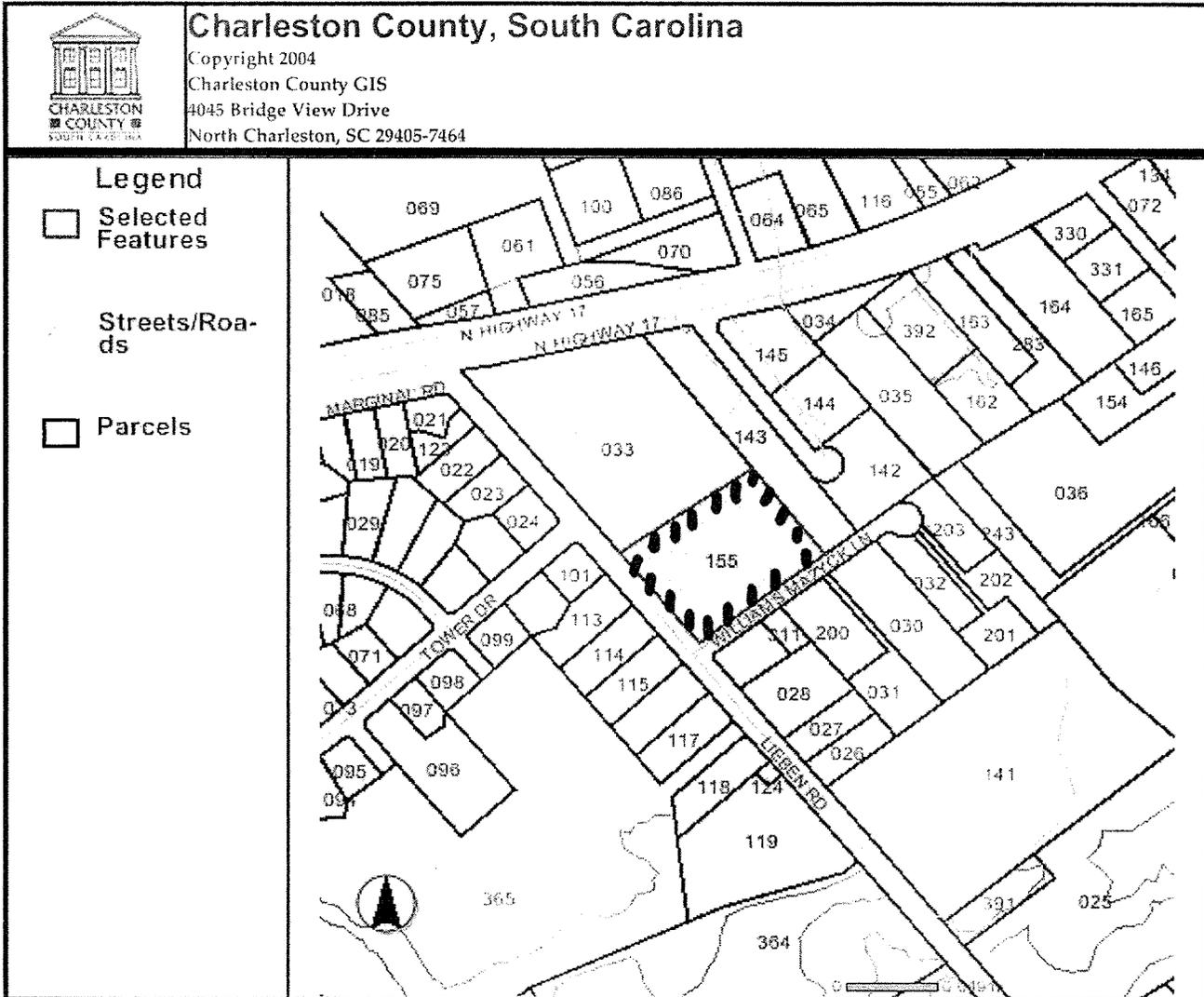
MARGINAL RD

PREMIER LN

TOWER DR

TOWN OF MT PLEASANT



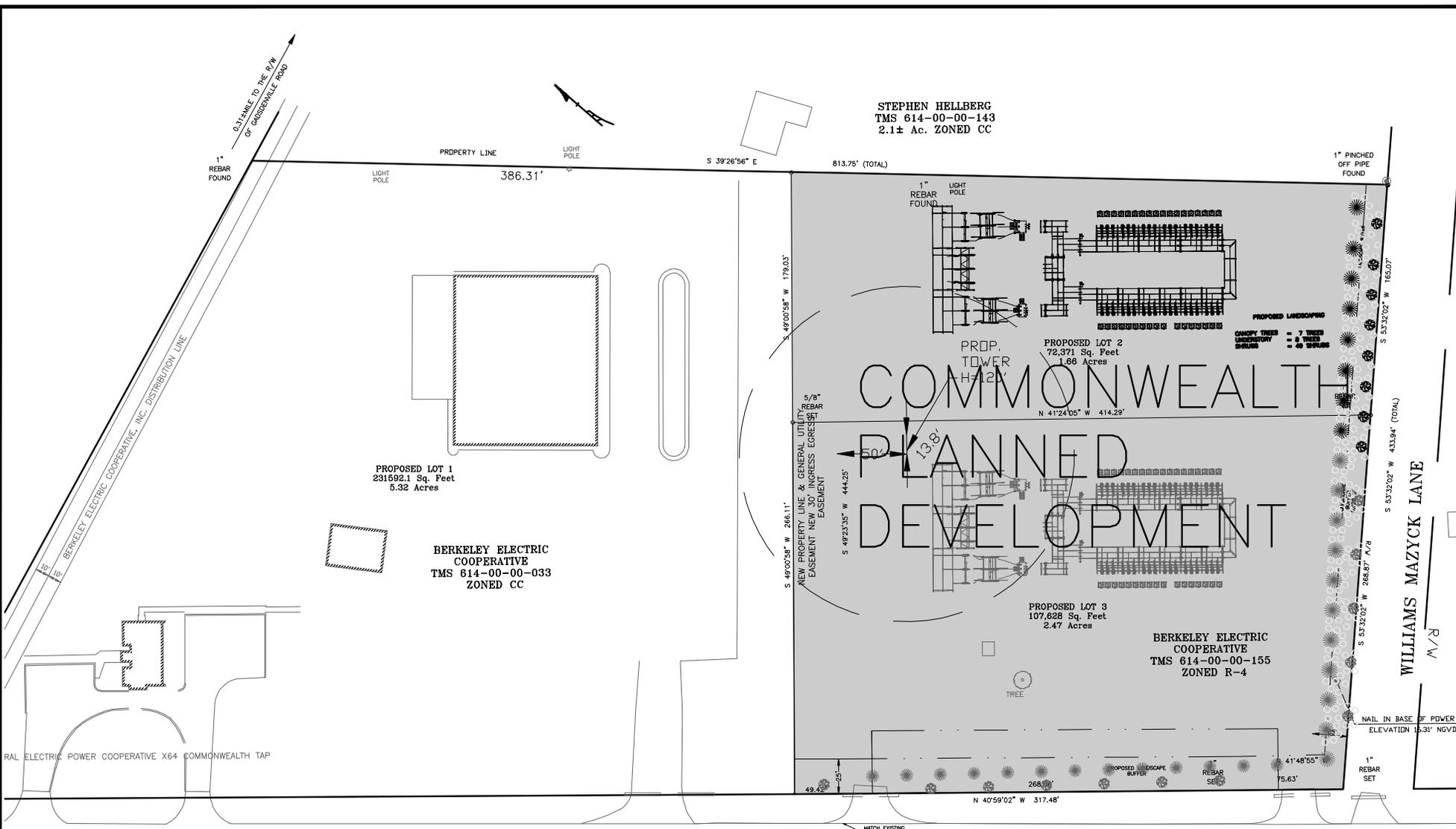


PARCEL NUMBER : 6140000155  
 PARCEL ID: 6140000155  
 STREET NUMBER: 0  
 STREET NAME: LIEBEN RD  
 PROP UNIT:  
 PROP CITY:  
 PROP ZIP: 29429  
 SITE NAME: ASMT INCL WITH PERSONAL PROPERTY  
 GENERAL USE: VCR  
 MOBILE HOMES: 0  
 SUBDIVISION: BEE HIVE  
 LEGAL DESCRIPTION: TRACT B  
 LGL HI ACRES: 3.32  
 LGL MAR ACRES: 0  
 LGL WATER ACRES: 0  
 LGL SWAMP ACRES: 0  
 LGL TOTAL ACRES: 3.32  
 TAX DISTRICT: 13  
 JURISDICTION: PUT  
 PLAT BOOK: Y116233  
 OWNER ON 1ST: BERKELEY ELECTRIC COOPERATIVE  
 OWNER? ON 1ST: INC

## **Exhibit 3**

**This Exhibit contains a copy of the proposed layout for Commonwealth  
Planned Development on TMS 614-00-00-155**

STEPHEN HELLBERG  
TMS 614-00-00-143  
2.1± Ac. ZONED CC



PROPOSED LOT 1  
231592.1 Sq. Feet  
5.32 Acres

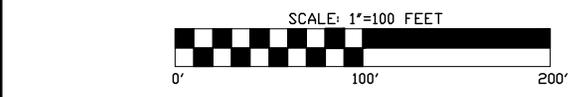
BERKELEY ELECTRIC COOPERATIVE  
TMS 614-00-00-033  
ZONED CC

# COMMONWEALTH PLANNED DEVELOPMENT

PROPOSED LOT 2  
72,371 Sq. Feet  
1.66 Acres

PROPOSED LOT 3  
107,828 Sq. Feet  
2.47 Acres

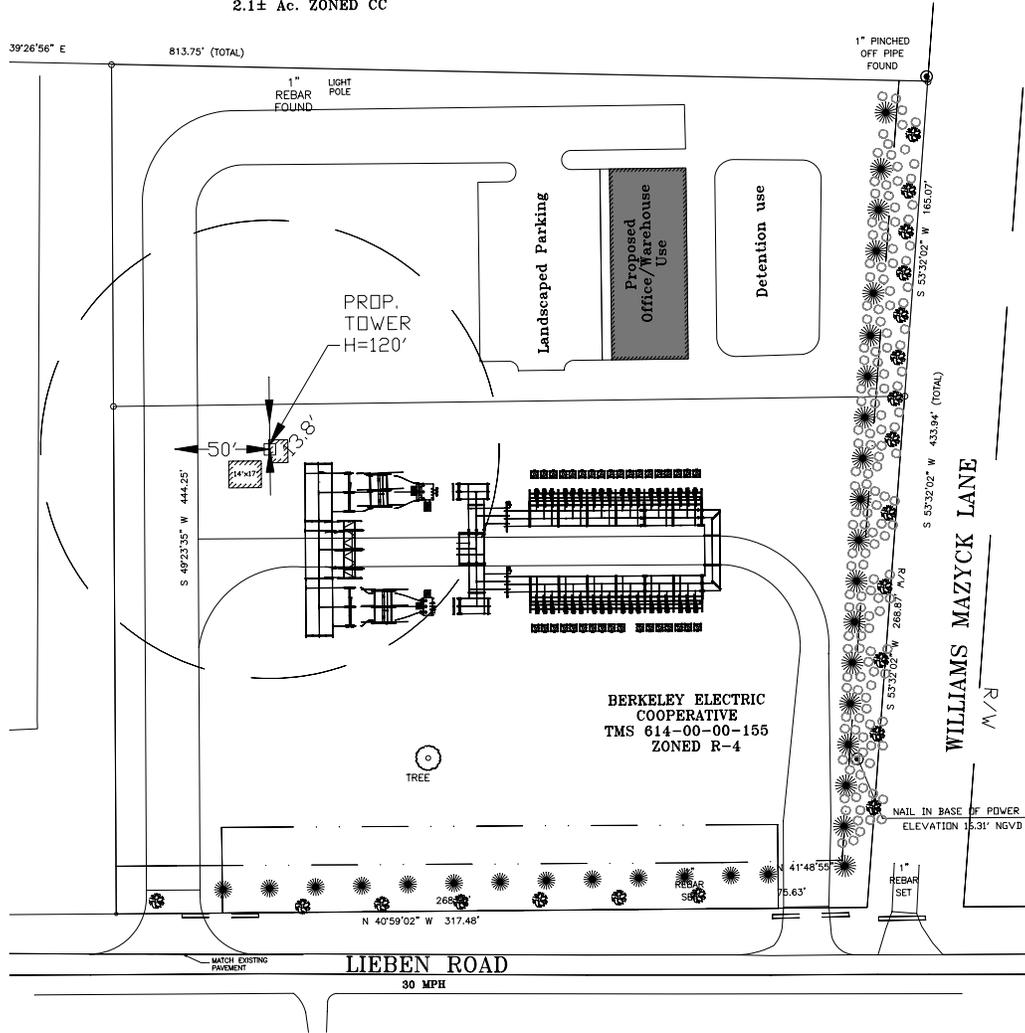
BERKELEY ELECTRIC COOPERATIVE  
TMS 614-00-00-155  
ZONED R-4



COMMONWEALTH PLANNED DEVELOPMENT  
SITE: LIEBEN ROAD  
Charleston County SC 29464  
September 22, 2009

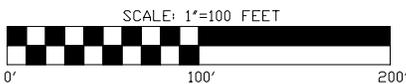
Prepared by: LOCKLAIR CONSULTING, INC.

STEPHEN HELLBERG  
 TMS 614-00-00-143  
 2.1± Ac. ZONED CC



CONCEPT PLAN FOR UTILITY RELATED OFFICE/WAREHOUSE USES  
 (THIS CONCEPT CAN ONLY BE USED ONLY IF THE PROPOSED  
 UTILITY SUB SUBSTAION IS NOT INSTALLED AND NEW TOWER  
 IS INSTALLED)

SITE: COMMONWEALTH PLANNED DEVELOPMENT  
 Charleston County, SC 29464  
 11 SEPTEMBER 2010



## **Exhibit 4**

**This Exhibit contains a copy of proposed communication tower for  
Commonwealth Planned Development**

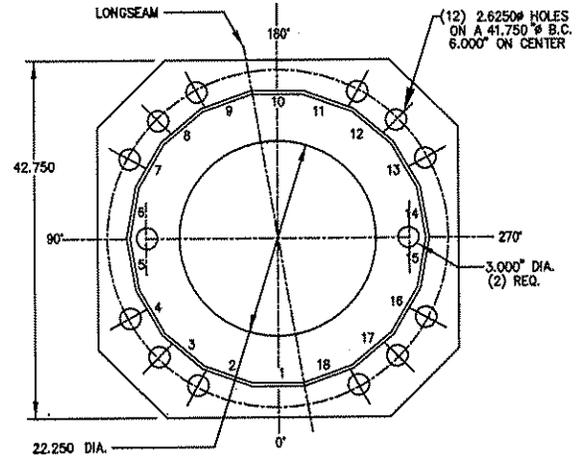
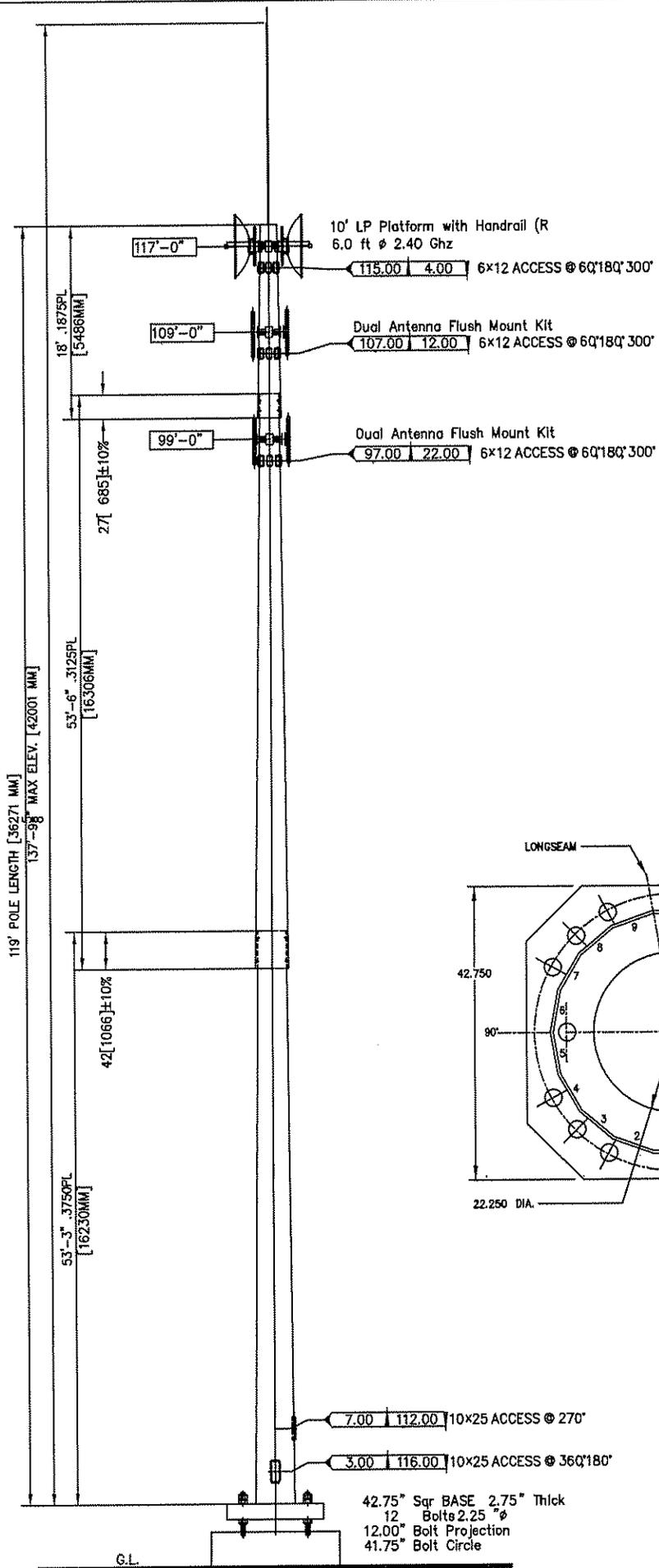
POLE SPECIFICATIONS	
POLE HEIGHT	119.00 FEET
TAPER	.1831 IN/FT
POLE SHAPE	18 SIDED POLYGON
ORIENTATION	FLAT-FLAT

Lev	Qty	Elev ft.	Future	DESCRIPTION APPURTENANCE / ANTENNA
1	1	117.00	F	10' LP Platform with Handrail (R)
	1	128.40	F	220-8D
	2	119.00	F	STD 6' MICROWAVE 2.40 Ghz
2	1	109.00	F	Dual Antenna Flush Mount Kit
	6	109.00	F	742 215
3	1	99.00	F	Dual Antenna Flush Mount Kit
	6	99.00	F	742 215

Load Case DESCRIPTION	Wind (mph)	OLF Vert	Rad. Ice	Factors Gust Cf	Wind (psf)
1) Max Wind	112.0	1.00		1.69 .65	54.3
2) Max Wind Load x.75	96.9	1.00	.50	1.69 .65	40.6
3) Everyday Operating	50.0	1.00		1.69 .65	10.8

Load Case DESCRIPTION	Res. Axial (kips)	Base Shear (kips)	React Mom (ft-k)	Disp DEF. (ft)	@Top SWAY (deg)
1) Max Wind	16.0	18.7	1600	9.4	8.50
2) Max Wind Load x.75	19.0	15.2	1338	8.0	7.23
3) Everyday Operating	15.3	3.7	321	1.9	1.71

- 1) FULL HEIGHT STEP BOLTS
- 2) ANTENNA FEED LINES RUN INSIDE POLE
- 3) THIS MONOPOLE DESIGN AND, IF APPLICABLE, THE FOUNDATION DESIGN SHOWN ON THE FOLLOWING PAGE(S) ALSO MEET OR EXCEED THE REQUIREMENTS OF THE 2003 INTERNATIONAL BUILDING CODE 3-SECOND WIND GUST OF 132 MPH AND SECTION 6-9-105(C) OF THE SOUTH CAROLINA CODE OF LAWS.
- 4) THE MONOPOLE WAS DESIGNED IN ACCORDANCE WITH EIA/TIA-222-F.



ESTIMATED STRUCTURE WEIGHT= 15.2 Kips

**BERKELEY ELECTRIC COOPERATIVE, INC.**  
 Commonwealth Substation, SC

**Sabre**  
 Towers & Poles

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120.00 MONOPOLE

00-00000	SIZE A	DRAWING NO. 10-4193-PE	REV -
DATE 27Oct09	DRAWN BY -	REFERENCE DRAWING	SCALE N.T.S.
CHECKED BY JDS			PAGE 1