

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED: CHAPTER 2 (REVIEW AND DECISION-MAKING BODIES), CHAPTER 4 (BASE ZONING DISTRICTS), CHAPTER 5 (OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS), AND CHAPTER 8 (SUBDIVISION REGULATIONS).

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission has reviewed the proposed amendments of the text of various chapters of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has recommended that the Charleston County Council adopt the proposed amendments of the text of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least 1 public hearing, and after close of the public hearing, County Council approves the proposed text amendments based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, the County Council has determined the proposed text amendments meet the following criteria:

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

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

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

SECTION II. AMENDMENTS OF THE TEXT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

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

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this ____ day of _____, 2010.

CHARLESTON COUNTY, SOUTH CAROLINA

By: _____
Teddie E. Pryor, Sr.
Chairman of County Council

ATTEST:

By: _____
Beverly T. Craven
Clerk to County Council

First Reading: _____, 2010
Second Reading: _____, 2010
Third Reading: _____, 2010

EXHIBIT "A"

AMENDMENTS TO THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, ORDINANCE 1202, AS AMENDED: CHAPTER 2 (REVIEW AND DECISION-MAKING BODIES), CHAPTER 4 (BASE ZONING DISTRICTS), CHAPTER 5 (OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS), AND CHAPTER 8 (SUBDIVISION REGULATIONS)

CHAPTER/ARTICLE/SECTION #: §2.4.2 (Decision - Making Authority: Planning Director)

REASON FOR AMENDMENT: Delegate approval of Preliminary Plats to the Planning Director.

DATE: September 7, 2010

PROPOSED AMENDMENT:

§2.4.2 DECISION-MAKING AUTHORITY

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

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

CHAPTER/ARTICLE/SECTION #: §8.4.3 (Preliminary Plats: Planning Director Review and Report)

REASON FOR AMENDMENT: Delegate approval of Preliminary Plats to the Planning Director.

DATE: September 7, 2010

PROPOSED AMENDMENT:

§8.4.3 PLANNING DIRECTOR---- REVIEW AND REPORT

A. Upon receipt of a complete application for Preliminary Plat, approval, the Planning Director shall have 30 calendar days to (1) review the proposed Preliminary Plat; (2) compile a staff report on the proposed plat (which includes the comments and recommendations of the Public Works Director and other affected agencies);

B. *Major Subdivisions (Preliminary and Final) are reviewed by the Planning Director and approved when in compliance with requirements of this Chapter. Within the 30 calendar day review period the Planning Director has the option of forwarding the Major Preliminary Subdivision Plat application, along with his report and any recommendations, to the Planning Commission its review and approval in order to determine whether or not the proposed Subdivision is in compliance with all of the requirements of this Chapter.*

C. *The Planning Director shall advise the Planning Commission at the regular scheduled Planning Commission meeting of all Preliminary Plats approved. (For Information Purposes only)*

CHAPTER/ARTICLE/SECTION #: §8.3.1 (Minor Subdivision)

REASON FOR AMENDMENT: Address Approved Lots of Record within a 208 designated area with public water and/or sewer availability within the Urban/Suburban area.

DATE: September 7, 2010

PROPOSED AMENDMENT:

H. Lots of Record, Approved located within any 208 Water Quality Management Designation within the Urban/Suburban Area of the County:

1. One (1) lot may be subdivided from a Lot of Record, Approved ("Approved Lot") without installing additional lateral lines, provided that the development complies with all other requirements of this Ordinance, when public water and/or sewer lateral lines are provided to the Approved Lot, and the Approved Lot is located within a 208 Water Quality Management Designation area within the Urban/Suburban Area of the County.
2. The property owner(s) shall sign a Certification Statement that there are no physical lateral connections provided to the new lot being created. The Certification shall be placed on the subdivision plat and signed by each property owner.
3. The following Certification Statement shall be placed on the plat and signed by the property owner(s):

"The property owner(s) of record hereby acknowledge(s) that the surveyed parcel has not been served by a lateral connection of public water/sewer lines. Recordation of this plat shall not be an implied or expressed consent of Charleston County and/or the public provider of the water and/or sewer or other omitted public improvement that the lot or other land divisions shown here on are capable of being serviced by on-site waste water disposal or public water/sewer systems."

Property Owner(s) Signature: _____

Date: _____

Lot Description: _____

4. At the time of seeking a zoning or building permit the property owner(s) shall supply a document of certification from the Public provider that public water and sewer lateral connections are provided to the lot.
5. All lots created will comply with the density/intensity and dimensional standards for lots without public sewer/water, as there is no guarantee that these public improvements will be available.

CHAPTER/ARTICLE/SECTION #: §4.1.4 (Parcels with Split Zoning Districts)

REASON FOR AMENDMENT: Add language clarifying zoning district applicability to parcels that contain split zoning and prohibit the creation of new parcels with split zoning districts.

DATE: September 7, 2010

PROPOSED AMENDMENT:

§4.1.3 ZONING DISTRICT HIERARCHY

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

§4.1.4 EXISTING AND PROPOSED PARCELS CONTAINING SPLIT ZONING DISTRICTS

- A. Existing Lots of Record with Split Zoning Districts**
Uses and development standards for existing lots of record with split zoning districts shall be limited to the most restrictive zoning district within the parcel per Article 1.9, Conflicting Provisions, and Article 4.1.3, Zoning District Hierarchy.
- B. No new parcels with split zoning districts shall be created. A property boundary line may be created to eliminate the existing split zoning districts, provided the proposed parcels meet the minimum lot area requirements for the zoning district each parcel is to be located.**
- C. This Section does not apply to mixed use developments such as parcels zoned M-8, M-12 or PD or the Overlay and Special Purpose zoning districts.**

[Commentary—Planning Staff recommends that property owner(s) with existing split zoning districts apply for a Zoning Map Amendment (Rezoning) in order to eliminate split zoning districts if the Comprehensive Plan supports the proposed future land use or file a Comprehensive Plan Amendment.]

CHAPTER/ARTICLE/SECTION #: §5.1.4 (Overlay Zoning District Effect)

REASON FOR AMENDMENT: Change the process for overlay zoning districts to allow properties in the overlay zoning districts to be developed in compliance with the overlay zoning district regulations without requiring rezonings.

DATE: September 7, 2010

Staff Commentary:

South Carolina State Law Section 6-29-720 defines an overlay zone as “a zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries.” Charleston County currently has five overlay zoning districts including: the Maybank Highway Corridor Overlay District, the Mount Pleasant Overlay District, the Folly Road Corridor Overlay District, the Dorchester Road Corridor Overlay District, and the University Boulevard Overlay District.

All of these overlay zoning districts include land use recommendations for the parcels in the overlay zoning district and contain other regulations including, but not limited to density, intensity and development standards, site design requirements, and architectural standards to ensure that development in the County is consistent with adjacent municipalities (within the overlay zoning districts). When an overlay zoning district is adopted, the land uses recommended for the parcels in the overlay zoning district and the other standards (density, intensity, and dimensional standards, site design requirements, etc.) become the zoning for the affected parcels.

However, Charleston County currently requires owners of parcels in overlay zoning districts to submit rezoning applications in order to develop these parcels with the uses recommended in the overlay zoning district. Staff is recommending the amendment to Section 5.1.4, above, to allow the flexibility to develop parcels in overlay zoning districts in compliance with overlay zoning district regulations without requiring applicants to submit rezoning applications, pay the application fees, and go through the rezoning process.

PROPOSED AMENDMENT:

CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

ARTICLE 5.1 GENERAL

§5.1.1 ESTABLISHMENT OF DISTRICTS

The following Overlay and Special Purpose zoning districts are hereby established:

DISTRICT NAME		TYPE
NRM	Natural Resource Management	Special Purpose
WDU	Water-Dependent Use	Special Purpose
MHC-O	Maybank Highway Corridor Overlay	Overlay
MP-O	Mount Pleasant Overlay	Overlay
FRC-O	Folly Road Corridor Overlay	Overlay
DRC-O	Dorchester Road Corridor Overlay	Overlay
MUFZ	Multiple Use Floating Zone	Floating Zone
UB-O	University Boulevard Overlay	Overlay

§5.1.2 PROCEDURE FOR ESTABLISHMENT

Overlay and Special Purpose zoning districts shall be established, changed or modified in accordance with the procedures applicable to all zoning districts as described in Chapter 3 of this Ordinance.

§5.1.3 OVERLAY ZONING DISTRICT APPLICABILITY

The overlay ***zoning*** districts only apply to parcels indicated on the corresponding Overlay ***Zoning*** District Maps.

§5.1.4 OVERLAY ZONING DISTRICT EFFECT

- A. The overlay zoning districts contained in this Ordinance are zones that impose a set of requirements or relax a set of requirements imposed by the underlying zoning district. Therefore, compliance with Article 3.4, Zoning Map Amendments (rezonings), of this Ordinance, is not required for parcels within these overlay zoning districts to be developed in compliance with the overlay zoning district regulations, including but not limited to the use regulations and density, intensity and dimensional standards of the overlay zoning districts. Development of parcels within the overlay zoning districts shall comply with all other applicable requirements and processes of this Ordinance, including but not limited to the Site Plan Review process, the Zoning Permit process, and the Subdivision process.**
- B. If the land use recommendation for a parcel in an overlay zoning district, as shown on the overlay zoning district map, is not utilized, the regulations of the underlying zoning district shall apply.**
- C. The provisions of this Section do not apply to Special Purpose Districts and Floating Zones, where compliance with Article 3.4, Zoning Map Amendments (rezonings), and all other applicable sections of this Ordinance, may be required.**

[Note: The name of each overlay district in the ZLDR (titles, sections, tables of contents and maps) will be changed from "Overlay District" to "Overlay Zoning District."]

Sweetgrass Basket Stand Special Consideration Area



Sweetgrass Basket Stand Special Consideration Area

Land Use Recommendation

- Village Commercial Area (IOP Connector to Hamlin Rd)
- Village Commercial Area (Hamlin Rd to Porchers Bluff Rd)
- Old Georgetown Road Loop Area
- Residential Area
- Incorporated Areas
- County of Charleston (located outside of Overlay District)



CHAPTER/ARTICLE/SECTION #: §5.5 (Mount Pleasant Overlay Zoning District)

REASON FOR AMENDMENT: Amend the Mount Pleasant Overlay Zoning District, Sweetgrass Basket Stand Special Consideration and Hungryneck Blvd/Venning Road area, to be more consistent with the Town of Mount Pleasant regulations.

DATE: July 1, 2010

PROPOSED AMENDMENT:

ARTICLE 5.5 MP-O, MOUNT PLEASANT OVERLAY <u>ZONING</u> DISTRICT

§5.5.1 STATEMENT OF FINDINGS

The MP-O, Mount Pleasant Overlay zoning district, is comprised of the unincorporated areas along Long Point Road, Coleman Boulevard, Chuck Dawley Boulevard, Highway 17 North, and other areas as shown on the map entitled "Mount Pleasant Overlay Zoning District." Highway 17 North is a major thoroughfare for travel in the Mount Pleasant/East Cooper Area. Both commercial and residential land uses exist along this corridor. This district has been created in cooperation with the Town of Mount Pleasant in recognition that there are properties located within the Town which are adjacent to similarly situated properties located within unincorporated Charleston County.

The Sweetgrass Basket Stand Special Consideration Area is located within the Mount Pleasant Overlay Zoning District, as depicted on the map entitled "Sweetgrass Basket Stand Special Consideration Area." The purpose of this special consideration area is to protect the tradition of selling sweetgrass baskets, to preserve the rural residential character of the community, to create a rural village appearance along Highway 17 North allowing only low intensity office and commercial uses, and to encourage affordable, or workforce housing, that is consistent with the single owner-occupied housing that currently exists. The land use recommendations and design requirements contained within this Article are the result of a community-wide effort. There is a desire of the residents to pursue a historic designation for the area fronting on Highway 17 North from Venning Road to White Hall Terrace. Any zoning-related recommendations that come from a historic designation will be considered for incorporation into the Mount Pleasant Overlay Zoning District.

§5.5.2 INTENT

The regulations of this Article are intended to promote traffic safety, improved visual appearance and quality development. The intent of the MP-O district is to implement traffic safety measures, to improve the visual character of the corridor, and to create consistency between the County of Charleston and the Town of Mount Pleasant concerning land development regulations.

§5.5.3 EFFECT OF OVERLAY ZONING DISTRICT

The MP-O Mount Pleasant Overlay zoning district regulations of this Article apply in addition to the underlying (base) zoning district regulations to impose different development rules for properties within the overlay zoning district. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control. Where no special MP-O district regulation is stated in this Article, the regulations of the underlying base zoning and all other applicable provisions of this Ordinance shall apply.

These district regulations are intended to be consistent with similar regulations within the Town of Mount Pleasant.

§5.5.4 APPLICABILITY

The standards of this Article shall apply to all development within the MP-O district except single family residential. Exceptions to this include the regulations of Section 5.5.15, Sweetgrass Basket Special Consideration Area.

§5.5.5 BUFFERS

Buffers are required in accordance with the requirements of the Landscape Buffers Section contained in Chapter 9 of this Ordinance or as otherwise stated in Section 5.5.15, Sweetgrass Basket Special Consideration Area and Section 5.5.16, Hungryneck Boulevard-Venning Road Area.

A. Right-of-Way Buffers

Right-of-way buffers are required in accordance with the requirements of the Landscape Buffers Section contained in Chapter 9 of this Ordinance.

§5.5.6 CURB CUTS

- A. All parcels in this overlay are allowed one curb cut per 250 feet of road frontage, with the exception of single family detached residentially zoned parcels, ~~and parcels containing single family detached residential uses,~~ parcels in the Old Georgetown Loop Office Area and parcels in the Hungryneck Boulevard Area. Parcels in the Hungryneck Boulevard Area shall comply with the access requirements contained in Section 5.5.16(C) and parcels in the Old Georgetown Loop Office Area shall comply with the access requirements contained in Section 5.5.15(G)(2). ~~Each parcel involved in a shared access agreement shall be allowed an increase in building cover up to a maximum of forty percent (40%) of the lot. To benefit from the above provision, the following requirements shall also apply to parcels involved in a shared access agreement:~~

- ~~1. Access shall be only from a road that runs perpendicular to the major road on which the subject parcel has frontage; or~~
- ~~2. Parcels with dual frontage shall only have access from the minor or secondary road.~~
- ~~3. When one of the above requirements are met, the requirements of subsections B and C, below, shall not apply.~~

- B. ~~The applicant must request a shared access with the adjacent property if frontage is less than 250 feet and the adjacent property does not contain a single family detached residential zoning district or a single family detached residential use. If the owner of the adjacent parcel does not agree to share access, the applicant shall provide one (1) of the following to the Planning Department:~~

- ~~1. A letter from the adjacent property owner denying access; or~~
- ~~2. If the adjacent property owner refuses to provide a letter, an affidavit that~~

~~documents attempts that the applicant made to request shared access and that the neighboring property owner refused to provide a letter.~~

- C. ~~If subsection B applies, a curb cut is permitted on the subject parcel only with a recorded agreement that the property owner will allow adjacent properties to share access when developed or when rezoned, unless:~~

~~1. The applicant provides a traffic impact study that complies with Article 9.9 of this Ordinance; and~~

~~2. The approving agency finds that:~~

~~a. The shared access requirement will not create more efficient traffic circulation patterns due to unique site configuration or topographical conditions; or~~

~~b. The shared access requirement is not proportionate to the increased traffic or change in circulation patterns created by the proposed development.~~

- D. ~~Shared access should be located along a common property boundary or other suitable access approved by the Planning Director.~~

- E. *The minimum distance from a street intersection for new residential or commercial use access is 75 feet measured from the edge of the intersecting roadway to the beginning of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.*

- F. *As a condition of non-residential use zoning/rezoning, a suitable access management plan must be submitted demonstrating that the 250 foot driveway separation requirement can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the developer of the property.*

- 1. Aggregation of parcels.*
- 2. Parallel frontage or "backage" roads.*
- 3. Shared curb cuts between adjoining properties.*
- 4. Shared access easements between parcels.*

- G. *Corner lot parcels shall provide access from the side street and not US Highway 17 North*

§5.5.7 SIGNS

A. Free-Standing Signs

1. Number

A maximum of one free-standing sign shall be permitted. If the parcel abuts more than 1 road, only one sign shall be allowed.

2. **Size**
Free-standing signs shall not exceed 50 square feet per sign face. A maximum of two (2) sign faces shall be allowed per sign.
3. **Height**
The maximum total height of a sign and sign structure shall not exceed 10 feet.
4. **Type**
All free-standing signs shall be "monument" or "pedestal" type.
5. **Illumination**
Internal illumination shall be permitted in required 15-foot buffer areas. Internal illumination shall not be allowed in 50-foot buffer areas.
6. **Flashing/Movement**
Flashing or moving signs shall be prohibited.

B. Shopping Center Free-Standing Signs

1. **Number**
A maximum of one monument or pedestal-type free-standing sign shall be permitted, provided that the center has vehicular access to that street frontage.
2. **Size**
Shopping center free-standing signs shall not exceed one square foot of sign face area per each linear foot of street frontage, up to a maximum of 150 square feet of sign face. A maximum of two (2) sign faces shall be allowed per sign.

C. Wall Signs

One square foot of wall signage shall be permitted per each linear foot of building frontage, up to a maximum of 100 square feet of wall signage.

D. Shopping Center Wall Signs

Each individual store unit will be permitted one square foot of wall signage per each linear foot of shop frontage, up to a maximum of 100 square feet.

E. Off-Premises Signs

Off premises signs are prohibited within the MP-O district.

F. Master Signage Plan

1. The applicant must provide a Master Signage Plan.
2. The Master Signage Plan must establish uniform specifications for each wall sign that includes:

- a. Sign facing and cabinet materials, illumination, and painting;
 - b. Style and color palette for all signs (e.g., letter colors, background colors, and text font);
 - c. Borders and similar embellishments;
 - d. Appearance/location of logos or icons; and
 - e. The location, shape and proportion of the sign.
3. The Master Signage Plan shall include proposed sign locations and computations of the maximum total sign area permitted for the site.
 4. The Master Signage Plan must be approved as part of the underlying permit application. A Master Signage Plan shall not be approved unless the Planning Director finds that:
 - a. The plan provides the specifications required by subsections 1 and 2, above; and
 - b. The plan provides for signs that meet the size limitations, location requirements and other applicable requirements of this Chapter.
 5. The Master Signage Plan may be amended by following the procedures for amending the underlying permit application.
 6. After approval of a Master Signage Plan, no permanent sign shall be erected, placed, painted, or maintained, except in accordance with the plan. The Master Signage Plan may be enforced in the same way as any provision of this Ordinance.

G. Illumination

1. Illuminated signs located adjacent to any residential area shall be controlled so as not to create excessive glare to properties within adjacent residential areas. Footcandles shall be reduced by one-half the allowable footcandle after hours of operation.
2. No illumination that simulates traffic control devices or emergency vehicles shall be used.
3. All illumination must be from a steady, stationary light source.
 - a. Internal Illumination.
 - i. Internally illuminated signs must be constructed of routed aluminum or similar opaque material so that only letters, numbers, and/or logos are illuminated.
 - ii. Signs shall not have light reflecting backgrounds nor letters.

- iii. All finishes shall be a matte finish.
- b. External Illumination.
 - i. Illumination shall be from a steady stationary light source, shielded and directed solely at the sign.
 - ii. Light sources to illuminate signs shall be shielded as to not cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.
 - iii. The intensity of light shall not exceed twenty (20) footcandles at any point on the sign face.
 - iv. The color of light sources to illuminate signs shall be white.
 - v. Signs shall not have light-reflecting backgrounds nor letters.

§5.5.8 ARCHITECTURAL AND BUILDING DESIGN STANDARDS

In addition to the Architectural and Landscape Design Guidelines contained in Chapter 9 of this Ordinance, no building elevation shall be constructed of unadorned concrete masonry units or corrugated and/or sheet metal, except as permitted for parcels in the Sweetgrass Basket Stand Special Consideration Area, which shall comply with the requirements of Section 5.5.15. Additionally, the architectural standards of Section 5.5.15(E) shall apply to all nonresidential properties in the Sweetgrass Basket Stand Special Consideration Area.

§5.5.9 DIMENSIONAL AND DEVELOPMENT STANDARDS

The dimensional and development standards of this Section shall apply to all parcels in the MP-O District, with the exception of parcels in the Sweetgrass Basket Stand Special Consideration Area and parcels in the Hungryneck Boulevard Area. Parcels in the Sweetgrass Basket Stand Special Consideration Area, shall comply with the regulations of Section 5.5.15 and parcels in the Hungryneck Boulevard Area, shall comply with the regulations of Section 5.5.16(C).

- A. Maximum building cover shall not exceed thirty percent (30%) of the lot, with the exception of parcels involved in shared access agreements which are allowed a maximum building cover of forty percent (40%) of the lot, per Section 5.5.6.
- B. Flag lots are prohibited.
- C. Building heights are limited to 45 feet in the M-8, M-12, CC, and I Zoning Districts. All other zoning districts shall be limited to a maximum building height of 35 feet. All building heights are measured from the base flood elevation to the highest point of the roof.
- D. All other development standards of Chapter 9 shall apply.

§5.5.10 LOADING AREAS

Structures shall be oriented so that loading areas are not visible from residential zoning districts, from existing public rights-of-way or from planned future public rights-of-way.

Loading areas may be oriented toward adjoining developed properties which are commercially zoned or toward adjoining properties eligible for future commercial development if they are entirely screened from view by the use of solid fencing or landscaping that conforms to Section 9.5.3 of this Ordinance.

§5.5.11 UTILITY LINES

All utility lines such as electric, telephone, CATV, or other similar lines serving individual sites as well as all utility lines necessary within the property shall be placed underground. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters shall be shown on the site plan.

§5.5.12 LIGHTING

Site lighting shall be from a concealed light source fixture and will not spill over into adjoining properties, roadways, or in any way interfere with the vision of oncoming motorists. Lighting fixtures shall be limited in height to 18 feet. Lighting will be of a directional type, capable of shielding the light source from direct view from any adjoining residential or agricultural parcel and public right-of-way. Security lighting will be provided, particularly at pedestrian walkways. All site lighting shall meet the requirements of Chapter 9 of this Ordinance.

§5.5.13 PEDESTRIAN ACCESS

- A. Grade-separated pedestrian walkways must provide a direct connection from the street to the main entrance, and to abutting properties.
- B. Pedestrian walkways must be designed and located in a manner that does not require pedestrians to walk through parking lots or cross driveways.
- C. All pedestrian access and pedestrian walkways shall meet the standards of Chapter 9 of this Ordinance.

§5.5.14 USES

The following principle uses shall be prohibited on parcels included in the Mount Pleasant Overlay **Zoning** District:

~~Fast Food Restaurants~~

Auto Dealers, New and Used

Vehicle Storage

Boat/RV Storage

Billboards

Gun Shops and/or Indoor/Outdoor Shooting Ranges

Liquor, Beer, or Wine Sales (as defined in this Ordinance)

The following use is subject to the Special Exception procedures of this Ordinance: Bar or Lounge

The following use is allowed on any Industrial (I) parcel if a Special Exception is granted by the Board of Zoning Appeals:

Warehousing and Freight Movement

All uses other than Single Family Residential uses must complete the Site Plan Review process as detailed in Article 3.7 of this Ordinance.

§5.5.15 SWEETGRASS BASKET STAND SPECIAL CONSIDERATION AREA

The Sweetgrass Basket Stand Special Consideration Area encompasses the area bounded by Highway 17 North, Porchers Bluff Road, Rifle Range Road, and the Isle of Palms Connector. Specific design requirements and land use recommendations for this area are included in this Section as well as on the maps entitled "Mount Pleasant Overlay Zoning District" and "Sweetgrass Basket Stand Special Consideration Area."

A. Sweetgrass Basket Stands within the Special Consideration Area

Charleston County and the Town of Mount Pleasant recognize the importance of sweetgrass basket stands. It is the intent of this Special Consideration Area to preserve and enhance their existence. All development shall encourage this use along Highway 17 North. The following standards shall apply to sweetgrass basket stands within the special consideration area:

1. Sweetgrass basket stands shall be allowed within all buffers and rights-of-way (to the extent the entity having jurisdiction over encroachments to the right-of-way extends permission);
2. All sweetgrass basket stands shall utilize safe ingress/egress; and
3. Parking for sweetgrass basket stands shall be located beyond the side of the stand which is furthest from the roadway.

B. Stormwater Drainage

A Stormwater Management Plan shall be required. The Stormwater Management Plan shall address the following stormwater drainage issues, including, but not limited to:

1. A shared system;
2. The recommendations from the Isaac German Watershed study;
3. Piped systems; and
4. Incorporation of access along stormwater drainage areas for maintenance and pedestrian access.

C. All requirements of Article 4.26, Waterfront Development Standards, shall apply.

D. Residential Area

The Residential Area, as shown on the map entitled "Sweetgrass Basket Stand Special Consideration Area," is intended to promote development consistent with the rural residential character of the Special Consideration Area. All properties within the Residential Area shall comply with the following standards:

1. Permitted uses shall include those allowed in the Special Management 3 (S-3) Zoning District, as described in Table 6.1.1, Use Table.
2. The Density/Intensity and Dimensional Standards in the following table shall apply to all properties in the Residential Area.

RESIDENTIAL AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS [1]	
MAXIMUM DENSITY	3 dwelling units per acre
MINIMUM LOT AREA	12,500 square feet
MINIMUM LOT WIDTH	70 feet [2]
MINIMUM SETBACKS	
Front/Street Side [3]	25 feet
Interior Side	15 feet
Rear	25 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM BUILDING HEIGHT	35 feet as measured from base flood elevation to the peak of the roof

[1] The Waterfront Development Standards of Article 4.26, as they apply to the S-3 Zoning District, shall be met.

[2] 80 feet without public water and/or public sewer.

[3] Front/Street Side Setback reductions of up to 15 feet may be approved by the Planning Director when deemed compatible with existing development patterns or setbacks shown on approved plats.

3. Accessory Dwelling Units
 - a. Lots of 12,500 square feet or greater shall be permitted a maximum of one (1) accessory dwelling unit;
 - b. Accessory dwelling units shall have a maximum of 1,200 square feet of heated gross floor area; and
 - c. All other applicable requirements of Section 6.5.7, Accessory Dwelling Units, shall apply.
4. Dwelling Groups

Where two (2) or more principal single family residential structures are located on the same zoning lot, the following criteria shall apply:

 - a. **Density/Intensity and Dimensional Standards**
Density/intensity and dimensional standards of Section 5.5.15.D(2) shall apply. In each case, the distance between structures shall not be less than the sum of the minimum interior setbacks required. This distance shall be measured from the closest protrusion of each structure. Where no building footprint is indicated, a maximum of a 100-foot by 100-foot area shall be shown for each dwelling to indicate the area where each dwelling is to be constructed.

b. Face of Dwelling Units

Each dwelling unit shall face (front) either a street, courtyard or living space.

c. Vehicle Access

Each dwelling group shall provide an access consistent with the Road Construction Standards in Appendix A of this Ordinance.

d. Other Zoning Requirements

Unless specifically modified by this Section, Dwelling Groups shall comply with all other requirements of this Ordinance for the district in which located.

5. All Major Subdivisions, as defined in Chapter 8, shall:

a. Incorporate linkages within the proposed development and to adjacent developments through the provision of sidewalks and/or pedestrian/bike pathways; and

b. Provide street lighting along all roads. Lighting shall have a maximum average of five (5) footcandles.

6. Single Family Detached Affordable Housing Units

The purpose of this Section is to promote ownership or occupancy of affordable, quality housing by low-moderate income households. Property within the Sweetgrass Basket Stand Special Consideration Area may be approved for subdivision and development in accordance with the density/intensity and dimensional standards of this Section. The legal entity developing the subject parcel must construct new residential housing for the provision of affordable housing as certified by Charleston County. The purchaser or tenant of the affordable household, at the time of closing or rental agreement, must meet the HUD definition of low-moderate income, as may be amended from time to time. The following standards of this Section must also be met:

a. Single Family Detached Affordable Housing Units

Single family detached affordable housing units shall meet the low-moderate income standards as defined by the United States Department of Housing and Urban Development or the Low Income definition, as may be amended from time to time, which is a household income 80 percent or below the median household income for Charleston County.

b. Ownership/Occupancy

Single family detached affordable housing units shall be sold or rented to qualified low-moderate income households, as defined above.

c. Density/Intensity and Dimensional Standards

The density/intensity and dimensional standards listed in the following table shall apply to single family detached affordable housing units:

RESIDENTIAL AREA – SINGLE FAMILY DETACHED AFFORDABLE HOUSING UNITS: DENSITY/INTENSITY AND DIMENSIONAL STANDARDS [1]	
MAXIMUM DENSITY	4 dwelling units per acre
MINIMUM LOT AREA	8,000 square feet
MINIMUM LOT WIDTH	60 feet
MINIMUM SETBACKS	
Front/Street Side [2]	25 feet
Interior Side	5 feet
Rear	15 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM BUILDING HEIGHT	35 feet as measured from base flood elevation to the peak of the roof

[1] The Waterfront Development Standards of Article 4.26, as they apply to the S-3 Zoning District, shall be met.

[2] Front/Street Side Setback reductions of up to 15 feet may be approved by the Planning Director when deemed compatible with existing development patterns or setbacks shown on approved plats.

d. Uses

Only single family detached affordable housing units shall be permitted.

7. Planned Development - Affordable Dwelling Units (PD-AD)

The following requirements are in addition to the requirements of Article 4.27, Planned Developments. All requests for developments that include affordable dwelling units that do not meet the requirements of subsection 6, above, must be in the form of Planned Development applications, provided that:

- a. At least fifty percent (50%) of the dwelling units in the development shall be affordable dwelling units, as defined below;
- b. The maximum density shall not exceed 4.5 dwelling units per acre;
- c. Development shall be generally consistent with the single family occupied housing that currently exists in the Special Consideration Area; and
- d. For the purposes of this subsection, Affordable Dwelling Units shall

have the same definition of "Affordable Housing" as contained in Chapter 12 of this Ordinance.

8. **Planned Development - Conservation Design (PD-CD)**
The following requirements are in addition to the requirements of Article 4.27, Planned Developments. The Planned Development-Conservation Design District is intended to perpetuate low-density rural character, preserve and protect natural resources and sensitive areas, promote agricultural pursuits, and balance the urban environment. In order to qualify as a PD-CD District, a project shall meet each of the following requirements:
 - a. **Density Provisions**
The maximum density shall not exceed three (3) dwelling units per acre. No wetlands over an acre in size shall be used in calculating density on the site.
 - b. **Site Requirements**
The property shall be located within the Sweetgrass Basket Stand Special Consideration Area.
 - c. Development Standards for a proposed PD-CD District shall:
 - i. Incorporate cluster development patterns.
 - (a) This is a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.
 - (b) There is no minimum lot area requirement.
 - ii. Provide contiguous open space and dimensional standards for that space.
 - iii. Install a pedestrian circulation system.
 - iv. Provide public access to open space.
 - v. Provide for design that preserves the character of historic, archaeological and/or cultural sites.
 - (a) These areas are not to be included in lots.
 - (b) Design should include provisions for buffering or passive park design.
 - vi. Protect in perpetuity at least 40% of the entire site area.
 - vii. Protect all trees with eight-inch DBH or greater that are not located in the footprint of a house.

- viii. Leave scenic views unblocked, as seen from public thoroughfares.
- ix. Incorporate roadway design and stormwater standards that adhere to environmentally and aesthetically sensitive best management practices and development standards.
- x. Provide buffers as follows:
 - (a) Buffers around wetlands and wildlife areas shall remain in an undisturbed natural state.
 - (b) Buffers shall in every case conform to these guidelines:
 - (1) Select clearing shall be allowed in these buffers of trees measuring less than three inches DBH. Select clearing shall not include trimming limbs more than eight feet above ground level. All trees three inches DBH or greater shall be indicated on a tree survey.
 - (2) Any plantings allowed or required within this buffer shall be native species;
 - (3) No cross penetrations of utilities within the buffer will be allowed;
 - (4) The boundaries of the natural roadside buffer shall be clearly delineated and identified on all development plans and plats submitted for approval;
 - (5) Protected buffer areas shall be staked out in the field prior to construction activities;
 - (6) Buffers along waterfront, marsh, minor arterials or collector streets will be 50 feet in depth, and all requirements of Article 4.26, Waterfront Development Standards, shall apply; and
 - (7) Buffers along major arterials shall be 100 feet in depth.

E. Architectural Standards (formerly 5.5.15(G))
The intent of the design requirements for this area is to reflect a more rural visual context rather than a suburban or urban character. The following regulations apply to all development other than single family detached residential:

1. All structures, both principal and accessory, shall use a uniform rural village architectural theme applied through appropriate use of scale, proportion, detail, materials, color, and landscape treatment.
2. **Building materials shall consist of cementitious siding to give the appearance of wood siding rather than brick or adorned masonry siding; pitch roofs are preferred over flat roofs; and the use of porches are encouraged. Corrugated metal and unadorned masonry may be acceptable as siding material in the proper context.**
3. Unfinished metal facades shall be prohibited on all sides of the structure.
4. Glass facades shall not exceed 30% of the building face/elevation.
5. A minimum of one-third of the front street-side façade shall either be a covered porch, overhang, or other similar architectural feature.
6. Buildings shall have wooden, brick, or shell stone exterior appearance.
7. Buildings shall have an earthtone color scheme.
8. Building designs shall not utilize long monotonous facades, including, but not limited to, those characterized by unrelieved repetition of shape or form, or by unbroken extension of line. All sides of any building shall have the same attention to detail and appearance.
9. All proposed development shall be sited and configured in a manner that preserves existing natural features. New construction shall be clustered to preserve Grand Trees, groups of trees and other significant landscape features.
10. Bike and pedestrian ways shall be included in site design and shall link access to adjacent parcels, as well within the development area.
11. Loose aggregate in the form of shell, small rock, and crushed stone are encouraged. When loose aggregates are used, they shall be placed over a compacted base material with containment for the aggregate on the edges. The edging may be of a variety of rigid products including metal edging brick, concrete curb, landscape timbers and similar sturdy products.
12. All signage shall comply with Section 5.5.7, Signs.

F. Roads (formerly 5.5.15 H)

1. All nonresidential development shall incorporate linkages within the proposed development and to adjacent developments through the provision of sidewalks and/or pedestrian/bike pathways.

2. Internal access roads, whether public or private, and all right-of-way frontages shall require street lighting, as required in Article 3.7. Lighting shall have a maximum average of five (5) footcandles.

G. Old Georgetown Loop Office Area (formerly 5.5.15 E)

Properties within the Old Georgetown Loop Office Area have frontage on both Highway 17 North and Old Georgetown Road, as illustrated on the map entitled "Sweetgrass Basket Stand Special Consideration Area." This area is intended solely for office/professional uses that will be designed to have as little impact on adjacent residential uses as practicable. Retail Sales and Service uses and Industrial uses that do not already exist in this area are not permitted. All **development** applications ~~for rezoning~~ shall, at the time application is made, demonstrate how the following requirements will be met:

1. Permitted uses shall include those allowed in the Residential Office (OR) and General Office (OG) Zoning Districts, as described in Table 6.1.1, Use Table, with the exception of Retail Sales and Service uses and Industrial uses. **Refer to Section 5.5.14 for the list of prohibited or restricted uses.**
2. Access
 - a. The property or properties shall have a minimum combined frontage of 200 feet along Highway 17 North;
 - b. The property or properties shall have a single shared access from Highway 17 North or, if appropriate, shared access shall be provided from Old Georgetown Road; and
 - c. Shared access locations shall be separated by a minimum of 200 feet.
3. Density/Intensity and Dimensional Standards
The following Density/Intensity and Dimensional Standards shall apply to properties in the Old Georgetown Loop Office Area:

OLD GEORGETOWN LOOP OFFICE AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	None
MINIMUM SETBACKS	Equivalent to required buffers
MAXIMUM BUILDING COVER	30% of the buildable area
MAXIMUM BUILDING SIZE	No single building shall exceed 3,000 gross square feet of floor area
MAXIMUM BUILDING HEIGHT	35 feet as measured from base flood elevation to the peak of the roof, with a maximum of (1) story

4. Development shall comply with all other applicable regulations of this Ordinance, including the Development Standards of Chapter 9.

5. Hours of operation shall be limited to 7 AM to 7 PM.
6. Buffers
 - a. A minimum of a 15-foot vegetated right-of-way buffer shall be required along Highway 17 North;
 - b. A minimum of a 20-foot vegetated right-of-way buffer shall be required at the rear or adjacent to residential uses; and
 - c. Where appropriate, fencing may be required to screen adjacent or surrounding residential uses.
6. Residential development shall meet the requirements of Section 5.5.15(D).

H. Village Commercial Area from Isle of Palms Connector to Hamlin Road

The Village Commercial Area, as illustrated on the map entitled "Sweetgrass Basket Stand Special Consideration Area," is intended for low-intensity commercial uses. These low-intensity commercial recommendations apply to 500 feet in depth from the edge of the right-of-way for properties fronting on Highway 17 North, as shown on the map entitled "Sweetgrass Basket Stand Special Consideration Area." All development applications shall, at the time application is made, provide proof that the following requirements will be met:

1. Permitted uses shall include those allowed in the Commercial Transitional (CT) and Neighborhood Commercial (CN) Zoning Districts, as described in Table 6.1.1, Use Table. **Refer to Section 5.5.14 for the list of prohibited or restricted uses.**

~~2. Access~~

- ~~a. The property or properties shall have a minimum combined frontage of 225 feet along Highway 17 North;~~
- ~~b. The property or properties shall have a single shared access from Highway 17 North or, if located on a corner lot, shared access shall be provided from the secondary road; and~~
- ~~c. Shared access locations on Highway 17 North shall be separated by a minimum of 225 feet.~~

23. Density/Intensity and Dimensional Standards

The following Density/Intensity and Dimensional Standards shall apply to properties in the Village Commercial Area:

VILLAGE COMMERCIAL AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	None
MINIMUM LOT WIDTH	75 feet
MINIMUM SETBACKS	Equivalent to required buffers
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of the buildable area
MAXIMUM BUILDING SIZE	No single building shall exceed 5,000 10,000 square feet of gross floor area
MAXIMUM BUILDING HEIGHT	35 feet as measured from base flood elevation to the peak of the roof, with a maximum of (1) story

3.4. Development shall comply with all other applicable regulations of this Ordinance, including the Development Standards of Chapter 9.

~~5. Hours of operation shall be limited to 6 AM to 11 PM.~~

4.6. Buffers

- a. A minimum of a 50-foot vegetated right-of-way buffer shall be required along Highway 17 North;
- b. A minimum of a 25-foot vegetated buffer shall be required at the rear or adjacent to residential uses; and
- c. Where appropriate, fencing may be required to screen adjacent or surrounding residential uses.

5.7. Residential development shall meet the requirements of Section 5.5.15(D).

- I. **Village Commercial Area from Hamlin Road to Porcher's Bluff Road**
The Village Commercial Area, as illustrated on the map entitled "Sweetgrass Basket Stand Special Consideration Area," is intended for **higher intensity** ~~low-intensity~~ commercial uses **than the Village Commercial area located between the Isle of Palms Connector and Hamlin Road. in conjunction with the existing residential uses and This part of the overlay zoning district is intended to provide ensure safe, convenient, and efficient traffic movement by implementing an appropriate access management plan, thereby reducing the need for vehicle trips onto Highway 17.** These ~~low-intensity~~ commercial recommendations apply to 500 feet in depth from the edge of the right-of-way for properties fronting on Highway 17 North, as shown on the map entitled "Sweetgrass Basket Stand Special Consideration Area."

Required Coordination With Adjacent Jurisdictions

A letter of coordination from the Town of Mount Pleasant shall be required as part of all land development applications with the exception of applications for single family detached residential uses. The purpose of the letter of coordination is to ensure that the proposed development is consistent with the land uses, density/intensity and dimensional standards, and design and development standards adopted by the Town of Mount Pleasant. Coordination with applicable Town: Council, Planning Commission, Staff, Design Review Board or other review, recommendation, or decision-making bodies may be required.

Planned Development

The minimum site area for a planned development shall be five (5) acres.

All **development** applications ~~for rezoning~~ shall, at the time application is made, demonstrate how the following requirements will be met:

1. Permitted uses shall include **the following: those allowed in the Commercial Transitional (CT) and Neighborhood Commercial (CN) Zoning Districts, described in Table 6.1.1, Use Table.**

a. Uses allowed by right include:

ACCOMODATIONS Bed & Breakfast Inns Hotels/Motels Rooming/Boarding Houses	Convention Center or Visitors Bureaus Drywall, Plastering, Acoustical or Insulation Contractors Electrical Contractors Excavation Contractors Masonry or Stone Contractors Painting or Wall Covering Contractors Plumbing, Heating or Air-Conditioning Contractors Roofing, Siding, or Sheet Metal Contractors Special Trade Contractors Tile, Marble, Terrazzo or Mosaic Contractors	Landscaping/Horticultural Services Locksmith One-Hour Photo Finishing Personal Improvement Service Services to Buildings or Dwellings Tailors/Seamstresses
COURTS & PUBLIC SAFETY Court Of Law Safety Services		RETAIL SALES Art, Hobby, Musical Instrument, Toy, Sporting Goods, or Related Products Store
DAY CARE SERVICES		Building Materials/Garden Equipment & Supplies Retailers Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Store
DEATH CARE SERVICES Funeral Services		Convenience Store Drug Stores/Pharmacies Duplicating/Quick Printing Services Electronics, Appliance, or Related Products Store Florist Food Sales Furniture, Cabinet, Home Furnishings, or Related Products Store Garden Supplies Centers General Retail Sales/Services Hardware Stores Home Improvement Centers Outdoor Power Equipment Store Paint, Varnish, or Wallpaper Stores Pawn Shop Private Postal/Mailing Services Tobacconist Warehouse Clubs/Superstores
EDUCATIONAL SERVICES	POSTAL SERVICE	WHOLESALE SALES Flower, Nursery Stock, or Florists' Supplies Wholesalers
FINANCIAL SERVICES	RECREATION AND ENTERTAINMENT Community Recreation Parks & Recreation	
FOOD SERVICES & DRINKING PLACES General Restaurant	RELIGIOUS, CIVIC, PROFESSIONAL, AND SIMILAR ORGANIZATIONS Religious Assembly Social/Civic Organizations Social Club/Lodge	
HEALTH CARE SERVICES Counseling Services Health Care Laboratories Home Health Agencies Hospitals Medical Office/Outpatient Clinic Outpatient Facilities for Chemically Dependent or Addicted Persons Rehabilitation Facilities Residential Treatment Facility for Children/Adolescents	RENTAL & LEASING SERVICES Consumer Goods Rental Center Consumer Goods Rental Service	
INFORMATION INDUSTRIES Communication Services	REPAIR AND MAINTENANCE SERVICES Consumer Repair Service	
MUSEUMS, HISTORICAL SITES, AND SIMILAR INSTITUTIONS Botanical Gardens Historical Sites Libraries/Archives Museums Nature Exhibition	RESIDENTIAL Multi-family housing	
OFFICES	RETAIL OR PERSONAL SERVICES Coin-Operated Laundries Drycleaning or Laundry Pick-Up Service Stations Hair, Nail, or Skin Care Services	
OTHER NONRESIDENTIAL DEVELOPMENT Building Equipment or Other Machinery Installation Contractors Carpentry Contractors Concrete Contractors		

b. Uses subject to conditions include:

Communications Towers (§6.4.5)

Pet Stores or Grooming Salons (§6.4.32)

Self-Service Storage/Mini Warehouses (§6.4.16)

Utility substations (§6.4.21)

Veterinary Services (§6.4.32)

c. The following uses are subject to the Special Exception procedures of this Ordinance:

Bar or Lounge

Consumer Vehicle Repair

Fast Food Restaurant

Gasoline Service Stations (with or without convenience stores)

Indoor Recreation and Entertainment

Limited Vehicle Service (Note: Outdoor storage of vehicles is prohibited)

Vehicle Rental or Leasing

d. Refer to Section 5.5.14 for the list of prohibited or restricted uses.

2. Access

~~a. The property or properties shall have a minimum combined frontage of 225 feet along Highway 17 North;~~

~~b. The property or properties shall have a single shared access from Highway 17 North or, if located on a corner lot, shared access shall be provided from the secondary road; and~~

~~c. Shared access locations on Highway 17 North shall be separated by a minimum of 225 feet.~~

32. Density/Intensity and Dimensional Standards

The following Density/Intensity and Dimensional Standards shall apply to properties in the Village Commercial Area:

VILLAGE COMMERCIAL AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	None
MINIMUM LOT WIDTH	75 feet
MINIMUM SETBACKS	Equivalent to required buffers
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of the buildable area
MAXIMUM BUILDING SIZE	No single building shall exceed 5,000 <u>15,000</u> <u>square feet of gross floor area</u>
MAXIMUM BUILDING HEIGHT	35 feet as measured from base flood elevation to the peak of the roof, with a maximum of (1) <u>story (2) stories</u>

43. Development shall comply with all other applicable regulations of this Ordinance, including the Development Standards of Chapter 9.

54. ~~Hours of operation shall be limited to 6 AM to 11 PM.~~

65. Buffers

- a. A minimum of a ~~50-~~**35-foot** vegetated right-of-way buffer shall be required along Highway 17 North. **This buffer will generally correspond with the utility easement and an additional five feet of width. For each 100 linear feet of frontage, six canopy trees, ten understory trees, and 40 shrubs are required. Also required, where allowed by the SC DOT, are two street trees with a minimum caliper of 6 inches, to be planted within the adjoining road right-of-way. A minimum vegetated buffer of 10 feet will be required along secondary roads (for commercial uses).**
- b. A minimum of a 25-foot vegetated buffer shall be required at the rear or adjacent to residential uses. **Where appropriate, fencing may be required to screen adjacent or surrounding residential uses. A reduction of the buffer to 10 feet may be allowed with the addition of a 6-foot privacy fence.**
- c. ~~Where appropriate, fencing may be required to screen adjacent or surrounding residential uses.~~
- c. **If the area of all required buffers exceeds 30 percent of the area of the site, then buffers may be reduced by a maximum of one-third of the required width.**

- d. Structures shall be oriented so that loading areas are in no manner visible from residential districts, from existing public or private right-of-ways, or from planned future public right-of-ways. 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 solid fencing or appropriate landscaping.
- e. Structures located on a corner lot may be set back from Highway 17 North and designed to establish the side street as the primary street, provided that continuous, interconnecting access is provided through the adjoining parcels of the block between side streets. Additionally, permanent open-air roofed structures must be sited on the parcel at the corner of Hwy 17 for the exclusive use of local residents to sell crafts and produce, including sweetgrass baskets. In such cases, the size and number of structures will be commensurate with the size and intensity of the proposed commercial use as determined by the Zoning/Planning Director and documentation that addresses the structure(s), use(s), and parking to be located on the subject property shall be provided.

76. Residential development shall meet the requirements of Section 5.5.15(D).

§5.5.16 HUNGRYNECK BOULEVARD-VENNING ROAD AREA

- A. The Hungryneck Boulevard - Venning Road Area is comprised of the unincorporated areas along Hungryneck Boulevard and Venning Road as depicted on the map entitled, "Hungryneck Boulevard-Venning Road Area." Hungryneck Boulevard is a developing light commercial corridor. The Hungryneck Boulevard - Venning Road Area applies to: parcels with frontage on Hungryneck Boulevard beginning on the southern end of Hungryneck Boulevard at a point of 550 feet from its intersection with Highway 17 North and extending the northern length of Hungryneck Boulevard to the lots immediately across from Hazan Court; also, extending the southern length of Hungryneck Boulevard and ending at Venning Road; parcels with frontage on Venning Road between Highway 17 North and Volunteer Lane. This area has been created in cooperation with the Town of Mount Pleasant in recognition that there are properties located within the Town which are adjacent to similarly situated properties located within unincorporated Charleston County. All development applications shall, at the time application is made, demonstrate how the following requirements of this Section will be met.
- B. Venning Road Area (parcels with frontage on Venning Road from Highway 17 North to Volunteer Lane)
 - 1. Permitted uses shall include those allowed in the Residential Office (OR) and General Office (OG) Zoning Districts, as

described in Table 6.1.1 (Use Table). Refer to Section 5.5.14 for the list of prohibited or restricted uses.

2. Architectural character shall be in compliance with Section 4.19.5 (Residential Office (OR) District Supplemental Standards) and Section 5.5.8 (Architectural And Building Design Standards) of the ZLDR.
3. All Mt. Pleasant Overlay Zoning District standards except the Sweetgrass Basket Stand Special Consideration Area standards shall apply to properties in the Venning Road Area, including but not limited to requirements for buffers, access, signage, architecture, and dimensional and development standards.

C. Hungryneck Boulevard Area (parcels with frontage on Hungryneck Boulevard from Country Lane Road to Hazan Court)

1. Permitted uses shall include those allowed in the Neighborhood Commercial (CN) Zoning District, as described in Table 6.1.1 (Use Table). Refer to Section 5.5.14 for the list of prohibited or restricted uses.
2. Access
The access management recommendations herein serve to maintain the functional integrity of Hungryneck Boulevard as a throughstreet, while allowing limited and controlled access for commercial development. Access management will be achieved by promoting inter-parcel access to channel full access to signalized intersections and limiting new access points on Hungryneck Boulevard to right-turn-only movements. Furthermore, ingress/egress within a development must be consistent with the Town of Mt. Pleasant Access Management Plan.
3. Architectural Standards
The architectural standards of Section 5.5.15 E shall apply to all commercial development.
4. Density/Intensity and Dimensional Standards
The Density/Intensity and Dimensional Standards in the table below shall apply to properties in the Hungryneck Boulevard Area.

HUNGRYNECK BOULEVARD AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MINIMUM LOT AREA	<u>4,000 square feet</u>
MINIMUM LOT WIDTH	<u>15 feet</u>
MINIMUM SETBACKS	<u>Equivalent to required buffers</u>
OCRM Critical Line	<u>50 feet</u>
MAXIMUM BUILDING COVER	<u>35% of the buildable area</u>
MAXIMUM BUILDING SIZE	<u>5,000 gross sq ft (footprint)</u>
MAXIMUM BUILDING HEIGHT	<u>35 feet as measured from base flood elevation to the peak of the roof, with a maximum of two (2) stories</u>

5. 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 15,000 square feet, gross floor area, may be approved in accordance with the Special Exception procedures of Article 3.6.

6. Buffers

a. Buffers along Hungryneck Boulevard shall comply with the S2 Land Use Buffer standards found in Chapter 9.

b. All other buffers shall comply with the requirements of Chapter 9 of this Ordinance.

HUNGRYNECK BOULEVARD-VENNING ROAD OVERLAY AREA

