

#2272

Adopted: 12/21/2023

AN ORDINANCE

AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED, TO CREATE THE BOARDING STABLE USE TO BE ALLOWED WITH CONDITIONS IN THE RURAL AREA AND CLARIFY THE DEFINITIONS FOR DIFFERENT CLASSIFICATIONS OF STABLES AT THE FOLLOWING DOCUMENT LOCATIONS: CHAPTER 6, USE REGULATIONS AND CHAPTER 12, DEFINITIONS

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

WHEREAS, the Charleston County Planning Commission ("Planning Commission") has reviewed the proposed amendment to Chapter 9, Development Standards, of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council ("County Council") adopt the proposed amendment of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed map amendment based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

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

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

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

SECTION I. FINDINGS INCORPORATED

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

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

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

SECTION III. SEVERABILITY

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

SECTION IV. EFFECTIVE DATE

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

ADOPTED and APPROVED in meeting duly assembled this 21st day of December 2023.

CHARLESTON COUNTY COUNCIL

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

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: November 30, 2023
Second Reading: December 12, 2023
Third Reading: December 21, 2023

EXHIBIT "A"

Boarding Stables

CHAPTER 6 | USE REGULATIONS

ARTICLE 6.1 USE TYPES AND USE TABLE

Table 6.1-1 Use Table																							
A=Use Allowed By Right; C=Use Subject to Conditions; S=Special Exception Use (must also comply with applicable conditions); Blank cells indicated prohibited land uses																							
Land Uses	ZONING DISTRICTS																				Condition		
	NR	OS	RM	AG-15	AG-10	AG-8	AGR	RR	S-3	R-4	UR	MH S	MH P	CI	RO	GO	NC	RC	CC	RI		IN	
ANIMAL SERVICES																							
Stable, Commercial			C	C	C	C	C												C	A	A	A	Sec. 6.4.20
Stable, Private			A	A	A	A	C	C	S										C	A	A	A	Sec. 6.4.20
<i>Stable, Boarding</i>			<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>											<i>C</i>	<i>A</i>	<i>A</i>	<i>A</i>	<i>Sec. 6.4.20</i>

ARTICLE 6.4 USE CONDITIONS

Sec. 6.4.20 Stable, Commercial; Stable, Private; *Stable, Boarding*

Stables (Commercial, *Boarding*, or Private) may be established as primary or accessory uses provided they meet all applicable standards of this Ordinance and the following requirements. *The term horse shall include horse(s) or other members of the horse family. Horses shall be boarded at a maximum ratio of one horse per one-half acre.*

A. Commercial Stables:

1. A minimum Lot Area of five acres shall be required; otherwise, this use shall comply with the Special Exception procedures contained in this Ordinance.
2. Riding areas and trails shall be limited to the subject Parcel upon which the stable is located unless documentation is provided granting access onto other lands. Such documentation shall be provided through written and recorded documents.
3. If the subject site is less than or equal to five acres, a 25-foot vegetated buffer from any equestrian activity areas is required to adjoining Parcels. In lieu of a 25-foot vegetated buffer, a 75-foot Setback to equestrian activity areas from the side and rear property boundaries shall be provided.
4. If the subject site is greater than five acres, a 50-foot vegetated buffer from any equestrian activity areas is required to adjoining Parcels. In lieu of a 50-foot vegetated buffer, a 150-foot Setback to equestrian activity areas from the side and rear property boundaries shall be provided.

B. Private Stables in the AGR and RR-3 Zoning Districts **subject to conditions** shall require a minimum Lot Area of one acre; otherwise, this use shall comply with the Special Exception procedures contained in this Ordinance.

C. Boarding Stables:

1. **A minimum Lot Area of five acres shall be required; otherwise, this use shall comply with the Special Exception procedures contained in this Ordinance.**
2. **Riding areas and trails shall be limited to the subject Parcel upon which the stable is located unless documentation is provided granting access onto other lands. Such documentation shall be provided through written and recorded documents.**
3. **Activities and access shall be limited to horses, their owners and caregivers, residents, and supporting services for maintenance of the property.**
4. **Boarding Stables shall be exempt from Art. 9.3, Off-Street Parking and Loading, with the exception of Sec. 9.3.6, Accessible Parking, and from Article 9.4, Landscaping, Screening, and Buffers.**
5. **Boarding Stables shall be limited to a maximum of 10 horses; otherwise, this use shall be considered a Commercial Stable.**
6. **The Limited Site Plan Review procedures of this Ordinance shall apply.**
7. **All Special Events shall follow Article 6.7, Special Events Use.**

CHAPTER 12 | DEFINITIONS

ARTICLE 12.1 TERMS AND USES DEFINED

Stable, Private A Building or land where horse(s) **or other members of the horse family** are kept for the private use of the owner(s) or resident(s) of the property.

Stable, Commercial A Building **or land** consisting of, but not limited to, Animal enclosures, riding arenas, corrals, paddocks, pens, Barns, and/or other Structures used for the boarding, breeding, raising, rehabilitation, riding, training and/or performing of horses **or other members of the horse family**, ~~by the owners, occupants or Persons other than the owners or occupants of the premises.~~

Stable, Boarding – Buildings or land where horses or other members of the horse family are kept for a fee. Activities and access are limited to owners of horses or other members of the horse family that are boarded onsite and caregivers.