**#2375** **Adopted 1/27/26**

**AN ORDINANCE**
**AMENDING THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS AMENDED AT THE FOLLOWING DOCUMENT LOCATIONS: CHAPTERS 3, 4, 5, 6, 9, 10, AND 12**

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 amendments to Chapter 3, Development Review Procedures; Chapter 4, Base Zoning Districts; Chapter 5, Overlay and Special Purpose Zoning Districts; Chapter 6, Use Regulations; Chapter 9, Development Standards; Chapter 10, Nonconformities; and Chapter 12, Definitions, 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 amendments 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 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 amendments 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 amendments 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 27th day of January 2026.

CHARLESTON COUNTY COUNCIL

By: _____
Joseph A. Boykin
Chairman of Charleston County Council

ATTEST:

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

First Reading: December 18, 2025
Second Reading: January 13, 2026
Third Reading: January 27, 2026

EXHIBIT A

# CHAPTER 4 | BASE ZONING DISTRICTS

## ARTICLE 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS

### Sec. 4.2.3 Setbacks

D. Front Setbacks on Narrow Rights-of-Way and Narrow Ingress/Egress Easements. Where a Lot abuts a Right-of-Way or Ingress/Egress Easement with a width of less than 50 feet, the required Front Setback shall be measured from the centerline of the Right-of-Way or Easement, provided all Building Code and fire/safety requirements are met and the setback shall not be less than 15 feet from the edge of the Right-of-Way or Easement. On Lots where the Front Setback is 50 feet or greater, the Front Setback on the secondary Street may be reduced to 25 feet.

~~E. **Front Setbacks on Narrow Ingress/Egress Easements.** Where a Lot abuts an ingress/egress Easement with a width of less than 50 feet, and is used as a primary access point to the Lot as indicated on an approved Plat recorded prior to April 21, 1999, the required Front Setback shall be measured from the centerline of the Easement, provided all Building Code and fire/safety requirements are met. There shall be a minimum 25 foot Setback between the edge of the Easement to the front of any Structure.~~

# CHAPTER 4 | BASE ZONING DISTRICTS

## ARTICLE 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS

### Sec. 4.2.3 Setbacks

F. **Setbacks on Corner and Double-Frontage Lots.** On Corner and Double-Frontage Lots in all Zoning Districts except the R-4 and UR Zoning Districts, Front Setback standards will apply to each Lot Line that borders a Street. The remaining Lot Lines will be subject to Side Setback standards. There is no Rear Lot Line.

In the R-4 and UR Zoning Districts, the Front/Street Side Setback requirements shall apply to each Lot Line that borders a Street, provided, however, that the applicant shall identify one Street Frontage as the Front Line Lot to which the Front/Street Side Setback shall apply and the other Front/Street Side Setback may be administratively reduced by up to 50 percent. The Rear Setback requirements shall apply to the Lot Line opposite the Front Lot Line and the Side Setback requirements shall apply to the interior Lot Line. In cases where the Street Frontages are opposite one another, the Side Setback requirements shall apply to the remaining Lot Lines and there is no Rear Lot Line.

# CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

## ARTICLE 5.3 JO-MHC-O, JOHNS ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

| Table 5.3-5, Limited Commercial (LC) District Density/Intensity and | | |
|---|---|---|
| STANDARD | WITHOUT 50' RIGHT-OF-WAY DEDICATION [6] | WITH 50' RIGHT-OF-WAY DEDICATION [7] |
| **MAXIMUM RESIDENTIAL DENSITY** [1] | 6 Dwelling Units per acre | 12 Dwelling Units per acre |
| **MINIMUM LOT WIDTH** | 12 feet | |
| **MINIMUM SETBACKS** [2] [8] | Equivalent to required | |
| **MAYBANK HIGHWAY RIGHT-OF-WAY BUFFER** | 75 feet | |
| **OCRM CRITICAL LINE BUFFER** | 50 feet | |
| **MAXIMUM BUILDING COVERAGE- NONRESIDENTIAL AND** | 30% | 50% |
| **MAXIMUM INDIVIDUAL BUILDING FOOTPRINT** | 5,000 square feet | 10,000 square feet [5] |
| **MAXIMUM IMPERVIOUS SURFACE COVERAGE- RESIDENTIAL** | 40% of Lot or as allowed by the current edition of the Charleston County | 50% of Lot or as allowed by the current edition of the Charleston County |
| **MAXIMUM BUILDING HEIGHT** | 35 feet/ 2.5 stories | 45 feet/ 3.5 stories |

[1] To promote ownership or occupancy of affordable, quality housing, increased densities may be allowed pursuant to Sec. 5.3.6.E.

[2] No Building Setback shall be less than eight feet, except as provided for in footnote 7.

[3] When Right-of-Way is dedicated pursuant to the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director and the Parcel is involved in a shared access agreement, the maximum Building Coverage shall be 60 percent . When Right-of-Way is not dedicated, but the Parcel is involved in a shared access agreement pursuant to Sec. 5.3.7.B.7, the maximum Building Coverage shall be 40 percent .

[4] When Right-of-Way is dedicated pursuant to the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director and the parcel is involved in a shared access agreement, the maximum Impervious Surface Coverage shall be 60 percent or as allowed by the current edition of the Charleston County Stormwater Manual. Where Right- of-Way is not dedicated, but the Parcel is involved in a shared access agreement pursuant to Sec. 5.3.7.B.7, the maximum Impervious Surface Coverage shall be 50 percent or as allowed by the current edition of the Charleston County Stormwater Manual.

[5] When Right-of-Way is dedicated pursuant to the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director, Building footprints of up to 20,000 square feet may be allowed if approved pursuant to the Special Exception procedures of this Ordinance.

[6] Vertical improvements shall not occur in the area identified for Infrastructure connectivity as shown on the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director.

[7] These incentives shall only apply upon submittal of documentation that the 50-foot Right-of-Way has been dedicated to and accepted by the City of Charleston.

[8] The Setback and Minimum Lot Area requirements of the R-4 Zoning District shall apply to Single-Family Detached Dwelling Units and Manufactured Housing Units when Right-of-Way is not dedicated pursuant to the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director. When Right-of-way is dedicated pursuant to the map titled "Johns Island Maybank Highway Corridor Overlay Zoning District Infrastructure and Connectivity" as determined by the Zoning and Planning Director, the Setback requirements of the UR Zoning District shall apply to Single-Family Detached Dwelling Units and Manufactured Housing Units.

## ARTICLE 4.24 WATERFRONT DEVELOPMENT STANDARDS

### Sec. 4.24.2 Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line

In order to establish an Accessory Dwelling Unit on a parcel that contains or abuts an OCRM Critical Line the following standards shall apply:

A. When an Accessory Dwelling Unit is to be located in front of the Principal Dwelling Unit (between the street and the front of Principal Dwelling Unit) the minimum Lot Area shall be 50% larger than the minimum Lot Area requirement for waterfront Lots of the base Zoning District. A Variance shall not be required to place the Accessory Dwelling Unit in front of the Principal Dwelling Unit.

B. When the Accessory Dwelling Unit is to be located to the side or rear of the Principal Dwelling Unit (between the OCRM critical line and the Principal Dwelling Unit) the minimum Lot Width shall be two times the minimum Lot Width required for waterfront Lots in the applicable base Zoning District.

C. The Accessory Dwelling Unit shall meet the minimum Setbacks of the Zoning District where it will be located. The distance between the Accessory Dwelling Unit and the Principal Dwelling Unit shall not be less than the sum of the minimum setbacks as required for the Zoning District, as follows:

1. If the Accessory Dwelling Unit is located in front of the Principal Dwelling Unit (between the street and the front of the Principal Dwelling Unit), the sum of the two side setbacks shall be applied;
2. If the Accessory Dwelling Unit is to be placed to the side of the Principal Dwelling Unit, the sum of the two side setbacks shall be applied; and
3. If the Accessory Dwelling Unit is to the rear of the Principal Dwelling Unit, the sum of the front and rear setbacks shall be applied.

D. The Zoning Lot and Accessory Dwelling Unit shall comply with all other requirements of this Ordinance, including but not limited to the requirements of Sec. 6.5.9, *Accessory Dwelling Units*. In case of conflict, the requirements of this section shall apply.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

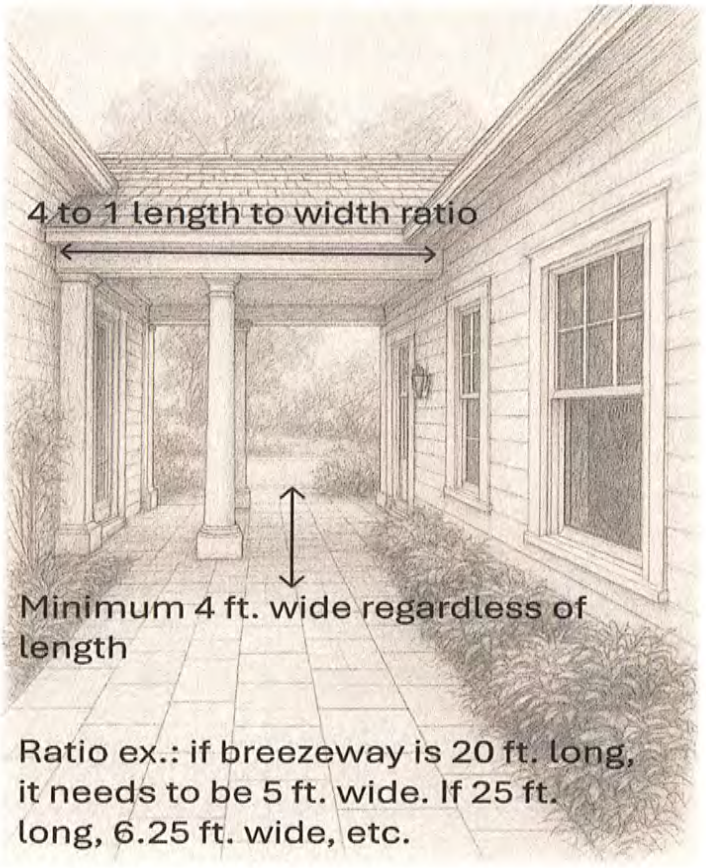
### Sec. 6.5.1 Purpose and General Provisions

B. **General Provisions.**

1. An Accessory Use is a use customarily incidental and subordinate to the Principal Use of a Zoning Lot or of a Structure. Accessory Uses shall be subject to the same regulations as apply to Principal Uses in each zoning district, unless otherwise expressly stated.

2. An Accessory Structure is a Structure that is detached from a Principal Structure and customarily incidental and subordinate to the Principal Structure. Accessory Structures include, but are not limited to, Swimming Pools, Fences, Barns, Garages, sheds, gazebos, and detached Accessory Dwelling Units. If any Accessory Building is attached to a Principal Building with a roof supported by columns or walls, it shall be deemed part of the Principal Building provided the attachment is a minimum of four feet in width with a minimum length to width ratio of four to one. In such cases, the Building shall comply with the Setback requirements of the applicable Zoning District.

Figure 6.5.1
Illustration for Sec. 6.5.1.B.2



# CHAPTER 6 | USE REGULATIONS

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

### Sec. 6.5.1 Purpose and General Provisions

**B. General Provisions.**

3. Accessory Uses and Accessory Structures shall be subordinate to and serve a Principal Use or Principal Structure, provided that Accessory Dwelling Units may meet the maximum Building Height requirement of the Zoning District where it will be located.
4. Non-Agricultural Accessory Structures shall be subordinate to the Principal Structure in terms of height and gross Floor Area, provided that Accessory Dwelling Units may meet the maximum Building Height requirement of the Zoning District where it will be located.
5. Accessory Structure footprints shall be included in the calculation of Building Coverage and Impervious Surface Coverage.
6. Accessory Uses and Accessory Structures shall be located on the same Lot as the Principal Use or Principal Structure served unless otherwise specified in this Ordinance.

# CHAPTER 12 | DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

**TERM DEFINITION**

### A

**Accessory Dwelling Unit** A Dwelling Unit providing complete, independent living facilities for one or more Persons that is separate from the principal Dwelling Unit. This definition includes Garage Apartments.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

### Sec. 6.5.4 Agricultural Accessory Uses and Accessory Structures

Allowed Agricultural Accessory Uses shall include all residential Accessory Uses and those Accessory Uses and activities customarily associated with agricultural operations, as determined by the Zoning and Planning Director. Barns and Farm- related Structures, including Roadside Stands shall be allowed on all Parcels in the Agricultural Zoning Districts, even if the Subject Parcel does not contain a Principal Structure provided that Roadside Stands comply with the requirements of Sec. 6.4.8, *Roadside Stands.* Dumpsters may be allowed as an Accessory Use if they are screened from view of adjacent residential Dwellings and the Street, a minimum of 200 feet from adjacent residential Dwellings, and meet the applicable Zoning District setbacks.

Manufactured Housing Units, Modular Building Units, and Pre-Manufactured Container Units may be allowed as Accessory Structures for the purposes of Permanent Storage Units in the AGR, AG-8, AG-10, AG-15, RM, CC, RI, and IN Zoning Districts provided they comply with the provisions of Sec. 6.5.17.B, 6.5.17.E, 6.5.17.H, and 6.5.17.I of this Ordinance.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

### Sec. 6.5.5 Commercial and Industrial Accessory Uses and Accessory Structures

The following shall be allowed as Accessory Uses and Accessory Structures to legally permitted Commercial and Industrial uses provided they comply with all applicable requirements of this Ordinance:

A. One Dwelling Unit for security or maintenance personnel;
B. Fences and Walls;
C. Gates and guard houses;
D. Off-street parking;
E. Radio and television receiving antennas or dishes and support structures;
F. Recreation areas and facilities for the use of employees;
G. Cafeterias, dining halls and similar food services when operated exclusively for the convenience of employees, clients, or visitors to the Principal Use;
H. Day care facilities when operated exclusively for the convenience of employees of the Principal Use;
I. Gift shops, newsstands and similar commercial activities operated exclusively for the convenience of employees, clients, or visitors to the Principal Use;
J. Solar Collectors;
K. Recycling Collection, Drop-Off;
L. Permanent Storage Units;
M. Personal Services and Retail Sales;
N. The selling of Sweetgrass Baskets; and
O. Accessory Dwelling Units on properties where Residential Uses have been legally established provided that all requirements of Sec. 6.5.9 are met.
P. Other necessary and customary uses determined by the Zoning and Planning Director to be appropriate, incidental and subordinate to the Principal Use of the Lot, subject to compliance with any standards contained within this Ordinance.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

### Sec. 6.5.9 Accessory Dwelling Units

One Accessory Dwelling Unit may be established on an existing Lot subject to the following standards:

A. If located in the Rural Area, the Lot must have a minimum area at least 50 percent larger than the minimum area required for a Principal Structure and the heated gross floor area of the Accessory Dwelling Unit shall not exceed 1,500 square feet.

B. Only one Accessory Dwelling Unit shall be permitted per Lot.

C. Accessory Dwelling Units placement shall comply with all dimensional standards of the applicable Zoning District, as contained in CHAPTER 4, *Base Zoning Districts*, of this Ordinance, including all Setback, buffer, Building Coverage, Impervious Surface Coverage, height requirements, and waterfront development standards. However, Accessory Dwelling Units within Residential and Residential Office (RO) Zoning Districts in the Urban/Suburban Area shall comply with the Setback requirement of Sec. 6.5.8.B.3, but do not need to be located wholly to the rear of the principal structure.

D. Accessory Dwelling Units placed on Parcels that contain or abut an OCRM Critical Line shall comply with the requirements of Article 4.24.2, *Minimum Lot Standards for Accessory Dwelling Units on Parcels which Contain or Abut an OCRM Critical Line.*

E. Separate electrical meters shall not be allowed for attached Accessory Dwellings Units.

F. Separate electrical meters are required for detached Accessory Dwelling Units.

## ARTICLE 6.5 ACCESSORY USES AND STRUCTURES

### Sec. 6.5.8 Accessory Structures in Residential and Residential Office (RO) Zoning Districts

Unless otherwise expressly stated and in addition to any other applicable provisions of this Ordinance, Accessory Structures in Residential and Residential Office (RO) Zoning Districts shall be subject to the following requirements:

A. An Accessory Structure erected as an integral part of the Principal Structure shall be made structurally a part thereof, shall have a common wall therewith, and shall comply in all respects with the requirements of these and other regulations applicable to Principal Structures.

B. A detached Accessory Structure shall be located:

1. Behind the front façade of the Principal Structure, provided that this limitation shall not apply to carports or Garages, and that Accessory Dwelling Units, including those located within Garage Structures, shall be allowed to be located in front of the Principal Structure;
2. At least six feet from any other Dwelling, including those under construction;
3. At least three feet from any interior Lot line in a Residential Zoning District if in an RO Zoning District that abuts a Residential Zoning District, the Accessory Structure in the RO Zoning District shall be located at least 10 feet from the abutting interior Lot line. When an RO Zoning District abuts another Office or Nonresidential Zoning District, setbacks for Accessory Structures are not required;
4. To meet the Principal Structure Front Setback requirements of the Zoning District in which the Lot is located as set forth in Chapter 4, Base Zoning Districts, of this Ordinance.

C. A detached Accessory Structure may be constructed on an adjacent vacant Lot if both Lots are in the same ownership, unless otherwise allowed to be established on a separate Lot pursuant to this Ordinance.

D. Accessory Structures shall be included in Building Coverage and Impervious Surface Coverage.

E. The Accessory Dwelling Unit provisions of this Ordinance apply in addition to the requirements of this Section; and

F. An Accessory Structure that is attached to the Principal Structure pursuant to this Ordinance shall comply with the Principal Structure Setback requirements of the Zoning District in which the Lot is located as set forth in Chapter 4, *Base Zoning Districts*, of this Ordinance.

# ARTICLE 6.9 AGRITOURISM

## Sec. 6.9.1 Applicability

Agritourism may be established as an accessory use in the AG-15, AG-10, and AG-8 Zoning Districts provided it meets the requirements outlined below and all other applicable standards of this Ordinance. Agritourism may be established as an accessory use in the AGR Zoning District in compliance with the Special Exception procedures of this Ordinance along with the requirements outlined below and all other applicable standards of this Ordinance.

A. Principal Use. Property must be a Bona Fide Agricultural Use.
B. Nature of Use. Agritourism uses must be subordinate to and be directly tied to the agricultural use of the property. Agritourism operator must also be the farm operator.
C. Minimum Acreage. A minimum lot area of five (5) acres shall be required.
D. Limited Site Plan Review. The Limited Site Plan Review procedures of this Ordinance shall apply.
E. Activities. Indoor or outdoor Agritourism activities include but are not limited to the following:
    a. Sampling or selling of food grown, raised, or produced on the farm;
    b. Sampling or selling of prepared food, with ingredients grown or produced on the property, including a food truck if owned and operated by the farm operator;
    c. "Pick your own" produce or flowers;
    d. Retail sales of incidental items directly related to or that promote the agricultural use;
    e. Farm tours or farm-related classes;
    f. Demonstrations of harvesting or preparation of goods or products produced on the farm;
    g. Community Supported Agriculture (CSA) pickups.
F. Certified South Carolina. Applicant must provide documentation of current Certified SC Grown or Product membership.
G. Maximum Attendees. Maximum number of attendees at any given time must adhere to the following chart:

| Acreage | Maximum Attendees |
|---|---|
| 5-10 | 75 |
| >10 | 150 |

H. Containment of Activity. Fencing or signage shall be placed to indicate activity areas.
I. Hours. Agritourism activities' hours of operation are limited to 9am to 7pm, daily.
J. Noise. Activities shall not involve the amplification of voice, music, or instruments and shall comply with the County Livibility Ordinance.
K. Water and Sanitation. All agritourism activities must provide adequate potable water and sanitary waste systems. Sanitary facilities (such as port-a-lets or bathrooms) shall be a minimum of 100 feet from a property line of adjacent residential use.
L. Emergency Access. Applicant shall provide letters of coordination from local safety services confirming adequate access and egress for emergency vehicles are provided.
M. Parking. Adequate off-street parking must be provided. Parking and vehicular circulation must be located on the same lot as the agricultural operation and are not permitted within any public right-of-way. Parking area must be clearly designated; however, Agritourism shall be exempt from Art. 9.3, Off-Street Parking and Loading, with the exception of Sec. 9.3.6 Accessible Parking.
N. Buffers. Agritourism shall be exempt from Article 9.4 Landscaping, Screening, and Buffers.
O. Retail Sales. Retail sales must be directly associated with the agricultural use, must not exceed 500 square feet of gross floor area, and retail sales must not constitute more than 25% of gross receipts.
P. Special Events. Special Events must comply with the Special Events Use requirements of this Ordinance.
Q. Short-Term Rentals. Short-Term Rentals must comply with the Short-Term Rental requirements of this Ordinance.

# CHAPTER 12 | DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

**TERM DEFINITION**

### A

**Agritourism** Activities conducted on a farm that are offered to a member of the general public or invited guests for farm-related education, recreation, or active involvement in the farm operations.

## Sec. 6.8.2 Permitting Processes

B. **Short-Term Rental Property Site Plan Review Categories.** Notwithstanding the provisions of Art. 3.7, *Site Plan Review*, or this Ordinance, STRPs must complete Site Plan Review as prescribed in this Section based on the Permitting Process provided in Table 6.8.2 prior to obtaining a STRP Zoning Permit. The Building Inspection Services Department may require a building safety inspection and/or Building Permit as a condition of the STRP Site Plan Review approval.

a. *STRP, Administrative Site Plan Review.* Requires a Zoning Permit application, fee, and a site plan drawn to engineer's scale depicting existing and proposed conditions, including required parking. In addition, site visits by Zoning and Planning Staff may be required.

b. *STRP, Limited Site Plan Review.* Requires a Limited Site Plan Review application and fee and must include a site plan drawn to engineer's scale depicting existing and proposed conditions, including required parking.

c. *STRP, Full Site Plan Review.* Requires compliance with the requirements of Art. 3.7, *Site Plan Review*, of this Ordinance.

## Sec. 6.8.2 Permitting Processes

E. Annual Zoning Permit Renewal.

a. All STRP Zoning Permits must be renewed annually in compliance with this Article. An application for annual renewal of the Zoning Permit must include:

i. The application fee;

ii. An affidavit signed by the Property owner stating that the type of STRP use and the information submitted as part of the application for the previous year's STRP Zoning Permit has not changed in any manner whatsoever and that the STRP use complies with the most recently adopted version of this Article (form of Affidavit provided by the County); and

iii. Owner-Occupied STRP affidavit, as applicable.

## Sec. 6.8.5 Amortization of Nonconforming STRPs

The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended (Planning Act) authorizes local governments to terminate a nonconformity by specifying the period or periods in which the nonconformity is required to cease or be brought into compliance pursuant to S.C. Code Ann. Section 6-29-730 (2007).

Therefore, if a Dwelling was legally used as a STRP prior to July 24, 2018, the Dwelling may continue as a Nonconforming Use pursuant to CHAPTER 10, Nonconformities, of this Ordinance until July 24, 2023 to allow for the recovery or amortization of the investment in the Nonconforming Use, after which the Nonconforming Use as a STRP shall terminate.

During the amortization period, all Nonconforming STRPs must comply with all other requirements of this Article as is reasonably possible, including but not limited to, making an application for a Short-Term Rental Permit. Exceptions will be made for restrictions on maximum number of rental days, special exceptions use conditions, owner occupancy status, or use subject to conditions.

Not less than 60 days before the end of the amortization period, the owner of the Dwelling may request a special exception to the amortization period. All requests shall be made to Board of Zoning Appeals in writing, and all decisions shall be subject to the provisions of Art. 3.6 of the ZLDR except for Art. 3.6.1 and Art. 3.6.5.

The Board of Zoning Appeals may grant an extension of the time of the amortization period if the owner of the Nonconforming STRP proves that he is unable to recoup his investment in such property by the conclusion of the amortization period.

**Criteria and Findings.** In determining whether to grant an extension of the amortization period for a Nonconforming STRP, and in determining the appropriate length of such an extension, the Board of Zoning Appeals shall consider the following factors:

A. The gross income and expenses from the Nonconforming STRP since the use began;
B. The amount of the property owner's investment in the Nonconforming STRP prior to July 24, 2018;
C. The amount of such investment that has been or will have been realized at the conclusion of the five-year amortization period;
D. The present actual and depreciated value of the property and improvements;
E. The applicable Internal Revenue Service depreciation schedule;
F. The total length of time the Nonconforming Use has existed;
G. The existence or nonexistence of lease obligations, as well as any contingency clauses permitting termination of such lease;
H. The remaining value and allowed uses of the property after discontinuing the Nonconforming Use;
I. The ability of the property owner to change the use to a conforming use;
J. The effects of the Nonconforming Use on the surrounding area;
K. The extent to which the Nonconforming Use is incompatible with surrounding uses and properties;
L. The interference with or threat to the public health, safety, and welfare of the community; and
M. Any other factor the Board of Zoning Appeals reasonably determines is related to determining whether the investment in the Nonconforming Use has been recovered.

The Board of Zoning Appeals shall receive and consider evidence presented by the Applicant, and shall make findings that the amortization period it establishes is reasonable in view of the evidence and the criteria set forth above

## Sec. 9.4.4 Landscape Buffers

| Table 9.4.4-1, Buffer Types by | | | |
|---|---|---|---|
| Abbapoola Road | G | Main Road (Limehouse Bridge to Maybank Hwy.) | I |
| Ashley Hall Road | B | Main Road Corridor Overlay Zoning District | [3] |
| Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard) | B | Main Road (Bees Ferry Road to Limehouse Bridge) | G |
| Hwy. 61/Ashley River Road (Mark Clark Expressway to Church Creek) | E | Manse Road | G |
| Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1] | I | Mark Clark Expressway | I |
| Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line) [1] | J | Mary Ann Point Road | E |
| Bears Bluff Road | I | Mathis Ferry Road [1] | G |
| Bees Ferry Road | G | Maybank Highway Corridor Overlay Zoning District [Johns Island] | [2] |
| Belvedere Road | G | Maybank Highway Corridor Overlay Zoning District [James Island] | [4] |
| Betsy Kerrison Parkway [1] | I | Maybank Highway (Main Road to Rockville) | I |
| Bohicket Road [1] | I | Meeting Street | B |
| Botany Bay Road [1] | I | Murraywood Road | G |
| Brownswood Road | G | Old Georgetown Road | G |
| Cane Slash Road | G | Liberia Road | G |

| | | | |
|---|---|---|---|
| hisolm Road | G | Old Georgetown Road in the "Loop" area (designated on the Mount Pleasant Overlay map) | B |
| Chuck Dawley Boulevard | B | Old Jacksonboro Road | G |
| Coleman Boulevard | B | Old Pond Road | G |
| Doar Road | G | Old Towne Road | B |
| Dorchester Road | A | Orange Grove Road | B |
| Eddingsville Beach Road | G | Orleans Road | B |
| Edenvale Road | G | Parkers Ferry Road | G |
| Fort Johnson Road [1] | E | Patton Avenue/Fickling Hill Road | G |
| Hamlin Road | E | Peters Point Road | G |
| Harborview Road | B | Pine Landing Road | G |
| Highway 162 | G | Plow Ground Road | G |
| Highway 165 | G | Raccoon Island Road | G |
| Highway 17 (Hwy. 41 to County Line) | I | Rifle Range Road | E |
| ghway 17 (east of Isle of Palms Connector to Hwy. 41, not including Old Georgetown Hwy "Loop" Area) | G | River Road [1] | I |
| Highway 17 in the Old Georgetown Road "Loop" area (as designated on the Mount Pleasant Overlay map) | B | Riverland Drive [1] | G |
| Highway 17 (west of Isle of Palms Connector including bypass) | B | Rivers Avenue | B |
| Highway 174 (Highway 164 to Edisto Beach) [1] | I | Rutledge Road | G |
| Highway 174 (Highway 17 to Highway 164) | E | Saint Andrews Boulevard | B |
| Highway 41 | G | Savannah Highway [Bees Ferry Rd. to County Line] otherwise C | E |
| Highway 45 | G | Seewee Road | G |
| Humbert Road | E | South Santee Road | G |
| Hungryneck Boulevard | C | Steamboat Landing Road (Jenkins Hill to Steamboat | G |
| Hyde Park Road | G | Tibwin Road | G |
| James Island Bridge/Highway 61 Connector | C | Toogoodoo Road | G |
| James Island Expressway | G | Venning Road | E |
| Liberia Road | G | Wappoo Road | B |
| Long Point Road (SPA Wando Terminal to I-526) | B | Wescott Road | G |
| Long Point Road (Outside of MP-O District) [1] | G | Willtown Road | G |
| Magwood Road | E | | |

[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] Buffer type as described in the Johns Island Maybank Highway Corridor Overlay Zoning District.

[3] Buffer type as described in the Main Road Corridor Overlay District.

[4] Buffer type as described in the James Island Maybank Highway Corridor Overlay Zoning District.

## B. Land Use Buffers.

1. *Applicability.* Land use buffers shall be provided in accordance with the standards of this Section. In the case of conflict between the land use buffer requirements of this section and those contained in CHAPTER 6, *Use Regulations,* of this Ordinance, the land use buffer requirements contained in CHAPTER 6, *Use Regulations*, shall govern.

2. Single-Family Detached Dwelling Units on individual Lots are exempt from the land use buffer requirements of this Section.
3. The Zoning and Planning Director is authorized to modify or waive the buffer or landscape planting requirements, as described below:
   a. The land use buffer may be reduced to a minimum of 10 feet when Inverted Islands are utilized, additionally, a 6 foot fence or wall may be required, as determined by the Planning Director; or
   b. The Zoning and Planning Director is authorized to allow a one-third reduction of required buffers, if all required buffers would exceed 25 percent of the site proposed for Development.

# CHAPTER 12 | DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

**TERM DEFINITION**

**I**

**Inverted Island** Shallow landscaped area that utilizes engineered soils and vegetation to capture and mitigate storm water runoff with the ability to drain dry within 72 hours.

## H. Signs Interfering with Vehicular Vision.

a. 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.

b. 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 Zoning and Planning Director to be in violation shall be removed immediately upon notice.

c. Signs shall also comply with the site triangle standards, as illustrated in CHAPTER 9, *Development Standards*

I. The hanging of objects from signs is prohibited.

J. Any Sign that does not meet the requirements described in this Article, unless expressly exempt, shall constitute a violation and the provisions of Chapter 11, *Violations, Penalties, and Enforcement*, shall apply.

## ARTICLE 9.8 SIGNS

### Sec. 9.8.5 Wall/Facade Signs

# A. General.

1. Wall Signs may be painted on, attached to, or pinned away from the Wall but must not project from the Wall by more than 12 inches.
2. The hanging or attachment of objects is not permitted.
3. The maximum size of the Sign shall be based on one of the frontage facades.
4. The Building Setback from the Street is measured from the property line to the closest point of the Wall/Facade.
5. *Service Stations, Gasoline.*
   a. The maximum size of the Sign shall not be based on the fueling station canopy.
   b. Signs under the fueling station canopy are not permitted, with the exception of Directional Signs.

## ARTICLE 9.8 SIGNS

### Sec. 9.8.1 General Provisions

C. **Prohibited Signs.** Except as otherwise permitted by this Ordinance, the following Sign types shall be prohibited:

1. Flashing Signs;
2. Animated Signs;
3. Signs Imitating Traffic Devices (Signal);
4. Signs Imitating Traffic Signs;
5. Signs Imitating Emergency Services;
6. Signs in Marshes;
7. Signs in Rights-of-Way;
8. Snipe Signs;
9. Signs Parked on Vehicles;
    a. Signs placed on, painted on, or affixed to vehicles and/or trailers or other conveyances that are parked on a public Right-of-Way, or on private property so as to be visible from a public Right-of-Way, and where the apparent purpose is to advertise a product or business, or direct people to a business or activity located on the same or nearby property. Such factors as amount of time parked in one location, vehicle registration, location of parked vehicle in relation to availability of alternative parking spaces on-site and the like may be utilized in making this determination.
    b. This does not prohibit identification signs painted on or affixed to vehicles and trailers, such as small lettering on motor vehicles, where the Sign is incidental to the primary use of the vehicle or trailer.
10. Roof Signs; ~~and~~
11. Off-Premises Signs (except Billboards, Shared Signs, and Bona Fide Agricultural Use Signs as defined by this Ordinance); and
12. Flutter Flag Signs.

# CHAPTER 12 | DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

**TERM DEFINITION**

### A

**Sign, Flutter Flag** A portable, lightweight, freestanding Flag used to advertise a business, product, promotion or location.

# CHAPTER 3 | DEVELOPMENT REVIEW PROCEDURES

## ARTICLE 3.8 ZONING PERMITS

### Sec. 3.8.3 Application Filing

Applications for Zoning Permits shall be filed with the Zoning and Planning Director on forms available in the Zoning and Planning Department. Zoning Permit applications shall include the following information:

A. For all new construction or changes in Building footprint, applications shall include a site plan drawn to engineer's scale that shows proper dimensions and compliance with the applicable Setback, Buffer, OCRM Critical Line Setback, OCRM Critical Line Buffer, maximum Building Coverage, maximum Impervious Surface Coverage, and maximum Building Height regulations. In addition, the site plan shall show the dimensions and locations of all existing and all proposed: Structures and accessories; driveways; access(es) to public Rights-of-Way; private Rights-of-Way and/or ingress/egress Easements; public Easements ; and current wetlands/OCRM Critical Line delineation, if applicable;

B. Applications shall include an approved, recorded Plat indicating the County Parcel Identification Number or if an approved, recorded Plat is not available, the application shall include a Charleston County Parcel Boundary Map showing the subject Parcel, surrounding properties, and County Parcel ID Number;

C. Proposed construction, including Accessory Uses and Structures, if occurring on more than one abutting Lot of record, shall not be placed on property lines and must meet all Setback requirements;

D. Applications shall include paid receipt(s) from local providers for public water and/or Sewer, or a letter from the Utility company stating the fee(s) have been paid. For new construction, if water and/or Sewer service is not available, a well and/or septic tank permit final approval from SC DHEC shall be required;

E. Applications shall include an approved Tree survey showing Grand Trees in Building and Structure footprints, or within 40 feet, of any proposed construction, as required by this Ordinance, and the Applicant provides a signed statement indicating no Grand Trees will be affected;

F. For all Structures requiring a new address (e.g., new Building construction, power poles, irrigation systems, or Accessory Structures with electrical service), written address confirmation must be obtained from the applicable County department. A site plan showing the location of all proposed and all existing: Structure(s); access(es) to public Rights-of-Way; private Rights-of-Way and/or ingress/egress Easements; and public Easements that exist on the property, is required for address confirmation. Power poles for properties in Residential Zoning Districts shall be limited to 60 amps where no Dwellings exist or are proposed; and

G. Commercial, Multi-Family, Office, Industrial, and other nonresidential uses require Site Plan Review approval prior to an application for a Zoning Permit.

# CHAPTER 3 | DEVELOPMENT REVIEW PROCEDURES

## ARTICLE 3.15 ADDRESSING AND STREET NAMES

### Sec. 3.15.1 Authority

The Planning Commission shall be authorized to approve the name of a new Street or road within the jurisdiction of Charleston County, as provided for in the Code of Laws of South Carolina Sec. 6-29-1200 and Sec. 23-47-60 et. seq. of the Code of Laws of South Carolina (1976), as amended. The Planning Commission may delegate this authority to the Zoning and Planning Director.

## ARTICLE 4.25 PD, PLANNED DEVELOPMENT ZONING DISTRICT

### Sec. 4.25.8 Planned Development Procedure

The procedure and criteria for PD applications are outlined below. All Sketch Plan(s) shall be drawn to scale.

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

B. Conceptual PD Development Plan Presentation

1. At least one time prior to submitting a formal application, Planned Development applicants shall present their Conceptual PD Development Plan to the Charleston County Planning Commission at a Planning Commission workshop. This presentation shall be for discussion and feedback purposes only and no action shall be taken on the Conceptual PD Development Plan at the workshop. At least 20 days prior to the Planning Commission workshop, the applicant shall submit a memo and presentation describing the proposed PD Development Plan.
2. This requirement applies to all Planned Developments.
3. The Planning Commission or Zoning and Planning Director may require applicants for Planned Developments that do not meet the thresholds in sub-section 2, above, to present the proposed Development at a Planning Commission workshop prior to submitting a formal application.

# CHAPTER 4 | BASE ZONING DISTRICTS

## ARTICLE 4.8 AG-8, RURAL AGRICULTURAL DISTRICT

### Sec. 4.8.3 Density/Intensity and Dimensional Standards

All Development in the AG-8 District shall be subject to the following Density/Intensity and Dimensional Standards:

| Table 4.8.3, AG-8 Density/Intensity and Dimensional Standards | | |
|---|---|---|
| | Non-Waterfront Development | Waterfront Development Standards |
| **MAXIMUM DENSITY** | 1 Principal Dwelling Unit per 8 acres | |
| **MINIMUM LOT AREA** | 1 acre | |
| **MINIMUM LOT WIDTH** | 135 feet | 175 feet |
| **MINIMUM LOT WIDTH AVERAGE** | N/A | 200 feet |
| **MINIMUM SETBACKS** | | |
| Front/Street Side | 50 feet | |
| Interior Side | 15 feet | |
| Rear | 30 feet | |
| **WETLAND, WATERWAY, AND OCRM CRITICAL LINE SETBACK** | N/A | 50 feet |
| **WETLAND, WATERWAY, AND OCRM CRITICAL LINE BUFFER** | N/A | 35 feet |
| **MAXIMUM BUILDING COVERAGE [1]** | 30% of | |
| **MAXIMUM IMPERVIOUS SURFACE COVERAGE [1]** | 40% of Lot or as allowed by the current edition of the Charleston County Stormwater Manual | |
| **MAXIMUM HEIGHT** | 35 feet | |

Note:
[1] Maximum Impervious Surface Coverage applies only to Residential Development on Parcels less than 30,000 square feet in size. When the Maximum Impervious Surface Coverage requirement applies, the Maximum Building Coverage requirement shall not apply.

# ARTICLE 5.11 DUPONT-WAPPOO AREA OVERLAY ZONING DISTRICT (DuWap-O)

## Sec. 5.11.6 Use Regulations

A. **Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table.** Table 5.11.6 lists the principal uses permitted in the districts/areas as identified and described in this Overlay Zoning District. The following is a description of the codes used in the table:

1. "A" indicates uses allowed by right.
2. "C" indicates Uses Subject to Conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
3. "S" indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
4. Blank cells indicate uses that are not permitted.

B. Properties Zoned NC. Properties in the NC Zoning District shall comply with the use regulations of the General Office (GO) Zoning District as described in Table 5.11.6, Dupont-Wappoo Area Overlay Zoning District Use Table.

C. **Prohibited uses.**

1. General Prohibited Uses. Vehicle Sales (new or used), Vehicle Rental and Leasing Service, including associated vehicle storage areas, that encompass more than one acre; Manufactured Home Dealer; Indoor/ Outdoor Shooting Range; Pawn Shop; Convenience Store; Warehouse Club or Superstore; Billboard; Sexually Oriented Business; Restaurant, Fast Food; Restaurant with drive-through lanes/windows; Vehicle Storage; Towing Facility; Impound Yard; Car Wash; Service Station, Gasoline; Truck Stop; Short-Term Lender; and single use Multi-Family Dwelling Units with individual Building footprints greater than 10,000 square feet, provided, however, that this limitation shall not apply to Affordable and Workforce Dwelling Units developed in compliance with Sec. 6.4.19 of this Ordinance.
2. In the CC Zoning District, Self-Service Storage is prohibited unless it is part of a multi-story mixed use Development where the ground floor use along all Street Frontages (entire Street Frontage) is separately leased commercial or Office space independent of the Self-Service Storage. In the JC Zoning District, Self-Service Storage is allowed only within existing Structures when all applicable requirements of this Ordinance are met. Development of new Structures for the purpose of Self-Service Storage in the JC Zoning District is prohibited.

D. **New or Unlisted Uses and Interpretation.** The Zoning and 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, *Definitions*, of this Ordinance.

E. **Nonconforming Uses.** The requirements of Article 10.2, *Nonconforming Uses*, of this Ordinance apply to all Development except Single-Family Detached Dwellings within the DuWap-O, provided, however, that the following requirements shall apply in place of those contained in Sec. 10.2.4, *Loss of Legal Nonconformity Status*, sub-section A:

1. If a Nonconforming Use is replaced with another use or is discontinued for any reason for a period of more than 36 consecutive months, the use shall be considered abandoned. Once abandoned, the use's legal nonconforming status shall be lost and re-establishment of a Nonconforming Use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the DuWap-O.

**Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table**

**"*A*" indicates uses allowed by right.**
**"*C*" indicates uses subject to conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions." "*S*" indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions." *Blank cells* indicate uses that are not permitted.**

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **AGRICULTURAL USES** | | | | | | | |
| Horticultural Production | A | A | | | | | |
| Stable, Private | | | | | S | | Sec. 6.4.20 |
| Agricultural Processing | A | | | | | | |
| Roadside Stand; Sweetgrass Baskets Stand | C | C | C | C | C | C | Sec. 6.4.58 |
| **RESIDENTIAL** | | | | | | | |
| Assisted Living | | | | | S | S | |
| Duplex | | | | | S | A | |
| Dwelling Group | | | | | C | C | Sec. 6.4.7 |
| Child Caring Institution | | | | | S | S | |
| Group Home | | | | | S | S | |
| Group Residential | | | | | S | S | |
| Manufactured Housing Unit | | | | | C | C | Sec. 6.4.24 |
| Multi-Family Dwelling | C | C | | | | A | Sec. 5.11.7.F |
| Single Family Attached Dwelling Unit | | C | | | S | C | Sec. 6.4.2 |
| Single- Family Detached Dwelling Unit | A | C | C | C | A | A | Sec. 6.4.25 |
| Affordable and Workforce Dwelling Unit | | | | | C | A | Sec. 6.4.19 |
| Transitional Housing | | | | | | S | |
| Short-Term Rental Property, Limited Home Rental (LHR) | | | | | C | C | Art. 6.8 |
| Short-Term Rental Property, Extended Home Rental (EHR) | | | | | S | S | Art. 6.8 |
| **CIVIC/ INSTITUTIONAL** | | | | | | | |
| Court of Law | | A | A | A | | | |
| Safety Services | A | A | S | A | S | S | |
| Postal Service, United States | | A | A | A | C | C | Sec. 6.4.26 |
| Adult Day Care Services | A | A | S | S | S | S | |
| Child Care Center | A | A | S | S | S | S | |
| Family Home | A | A | A | A | A | A | |
| Cemetery | | A | A | A | C | C | Sec. 6.4.53 |
| Funeral Services | | A | A | A | | | |
| Pre-school or Educational Nursery | | A | S | S | S | S | |
| School, Primary | | A | A | A | A | A | |
| School, Secondary | | A | A | A | A | A | |
| Higher Education Facility | | A | S | S | S | S | |
| Personal Improvement Education | A | A | S | S | | | Sec. 6.4.26 |

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **HEALTH CARE SERVICES** | | | | | | | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Medical Office | | A | A | A | | | |

**Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table**

**"*A*" indicates uses allowed by right.**
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| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| Community Residential Care Facility | S | A | | S | | S | Sec. 6.4.42 |
| Counseling Services | A | A | A | A | | | |
| Intermediate Care Facility for Individuals with Intellectual Disabilities | S | A | | S | | S | |
| Health Care Laboratory | A | A | A | A | | | |
| Home Health Agency | A | A | A | A | | | |
| Hospital; Hospice Facility | | A | S | A | | | |
| Outpatient Facility for Chemically Dependent or Addicted Persons | | A | | S | | | |
| Rehabilitation Facility | S | A | S | A | | | |
| Residential Treatment Facility for Children or Adolescents (mental health treatment) | S | A | | S | | | |
| **MUSEUMS, HISTORIC SITES, AND SIMILAR INSTITUTIONS** | | | | | | | |
| Historic Site | | A | A | A | A | A | |
| Library or Archive | | A | A | A | A | A | |
| Museum | | A | A | A | A | A | |
| Nature Exhibition | | A | | | | | Sec. 6.4.10 |
| Botanical Garden | | A | | | | | |
| Zoo | | S | | | | | |
| **RECREATION AND ENTERTAINMENT** | | | | | | | |
| Community Recreation | | A | A | A | A | A | |
| Fishing, Hunting, or Recreational Guide Service | | A | A | A | | | |
| Parks and Recreation | A | C | C | C | C | C | Sec. 6.4.11 |
| Recreation and Entertainment, Indoor | | A | | | | | Sec. 6.4.30 |
| Recreation and Entertainment, Outdoor | | C | | | | | Sec. 6.4.11 |
| Drive-in Theater | | C | | | | | Sec. 6.4.6<br>Sec. 6.4.11 |
| Special Events | | C | C | C | C | C | Art. 6.7 |
| **RELIGIOUS, CIVIC, PROFESSIONAL, AND SIMILAR ORGANIZATIONS** | | | | | | | |
| Business, Professional, Labor, or Political Organization | A | A | A | A | | | |
| Social or Civic Organization; Social Club or Lodge | A | A | S | S | S | S | Sec. 6.4.4 |
| Religious Assembly | A | A | A | A | A | A | |

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **UTILITIES AND WASTE-RELATED USES** | | | | | | | |
| Utility Service, Major | C | C | C | C | C | C | Sec. 6.4.17 |
| Utility Service, Minor | A | A | A | A | A | A | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Septic Tank Installation, Cleaning, or Related Services | A | S | | | | | |
| **COMMERCIAL** | | | | | | | |

**Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table**

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| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **ACCOMMODATIONS** | | | | | | | |
| Hotel or Motel | | A | | | | | |
| Short-Term Rental Property, Commercial Guest House (CGH) | | C | C | C | | | Art. 6.8 |
| **ANIMAL SERVICES** | | | | | | | |
| Pet Store or Grooming Salon | A | A | | | | | Sec. 6.4.32 |
| Small Animal Boarding | A | A | | | | | Sec. 6.4.32 |
| Veterinary Services | A | A | | C | | | Sec. 6.4.32 |
| **FINANCIAL SERVICES** | | | | | | | |
| Banks and Financial Services | | A | C | C | | | Sec. 6.4.26 |
| **FOOD SERVICES AND DRINKING PLACES** | | | | | | | |
| Bar or Lounge | S | S | | | | | Sec. 6.4.15 |
| Catering Service | A | A | C | C | S | S | Sec. 6.4.34 |
| Restaurant, General | C | C | | C | | | Sec. 6.4.15 |

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **INFORMATION INDUSTRIES** | | | | | | | |
| Communication Services | A | A | | S | | | |
| Communications Towers | C | C | | C | | | Sec. 6.4.45 |
| **OFFICES** | | | | | | | |
| Administrative or Business Office; Government Office; Professional Office | A | A | C | C | | | Sec. 6.4.26 |
| **OTHER NONRESIDENTIAL DEVELOPMENT** | | | | | | | |
| Convention Center or Visitors Bureau | | A | S | S | | | Sec. 6.4.31 |
| Heavy Construction Services or General Contractors | A | | | | | | |
| Special Trade Contractors (Offices/Storage) | A | C | | | | | Sec. 5.11.7.A |
| **PARKING, COMMERCIAL** | | | | | | | |
| Parking Lot | | A | | | | | |
| Parking Garage | | A | | | | | |

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| **RENTAL AND LEASING SERVICES** | | | | | | | |
| Charter Boat or other Recreational Watercraft Rental Services | | C | | | | | Sec. 5.11.7.E |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Commercial or Industrial Machinery or Equipment; Heavy Duty Truck or Commercial Vehicle Rental or Leasing | | C | | | | | Sec. 5.11.7.E |
| Construction Tools or Equipment Rental or Leasing | A | A | | | | | |
| Consumer Goods Rental Center | A | A | | | | | |
| Self-Service Storage | C | C | | | | | Sec. 5.11.7.D |

**Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table**

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| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| Vehicle Rental or Leasing | | C | | | | | Sec. 5.11.7.E |
| REPAIR AND MAINTENANCE SERVICES | | | | | | | |
| Boat Yard | C | C | | | | | Sec. 5.11.7.E Sec. 6.4.39 Art. 5.3 |
| Repair Service, Consumer | A | A | | | | | |
| Repair Service, Commercial | A | A | | | | | |
| Vehicle and Boat Repair or Service | A | | | | | | |
| RETAIL SALES | | | | | | | |
| Nonstore Retailers | | A | | | | | |
| Liquefied Petroleum Gas (Bottled Gas) Dealers | A | A | | | | | |
| Home Improvement Centers | A | A | | | | | |
| Food Sales | A | A | | | | | |
| Liquor, Beer, or Wine Sales | | S | | | | | |
| Retail Sales or Services, General | | A | | | | | |
| Duplicating or Quick Printing Services; Private Postal or Mailing Service | A | A | | C | | | Sec. 6.4.26 |
| Vehicle Sales (new or used) | | C | | | | | Sec. 5.11.7.E |
| Heavy Duty Truck or Commercial Vehicle Dealers | | C | | | | | Sec. 5.11.7.E |
| Vehicle Parts, Accessories, or Tire Stores | A | A | | | | | |

| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| RETAIL OR PERSONAL SERVICES | | | | | | | |
| Consumer Convenience Service | | A | | | | | |
| Hair, Nail, or Skin Care Services | A | A | C | C | C | C | Sec. 6.4.3 |
| Personal Improvement Service | A | A | C | C | | | Sec. 6.4.26 |
| Physical Fitness or Health Club | A | A | | A | | | |
| Tattoo Facility | S | S | | | | | Sec. 6.4.13 |
| Services to Buildings or Dwellings | A | A | C | C | | | Sec. 6.4.48 |
| Landscaping and Horticultural Services | A | A | C | C | | | Sec. 6.4.48 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| VEHICLE AND WATERCRAFT STORAGE | | | | | | | |
| Boat Ramp | | C | C | C | C | C | Sec. 5.2.4 |
| Community Dock | | S | S | S | S | S | Art. 5.2 Sec. 5.2.3 |
| Commercial Dock | | S | S | S | S | S | Art. 5.2 Sec. 5.2.6 |
| Marina | | S | S | S | S | S | Art. 5.2 Sec. 5.2.5 |
| WHOLESALE SALES | | | | | | | |

**Table 5.11.6, DuPont-Wappoo Area Overlay Zoning District Use Table**

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| USES | Job Center District | Community Commercial District | Light Commercial District | | Residential Areas | | Conditions |
|---|---|---|---|---|---|---|---|
| | | | RO | GO | R4 | UR | |
| Aircraft Wholesaler; Wholesale Sales | A | A | | | | | |
| Clay or Related Products and Construction Material Wholesaler | A | A | | | | | |
| Flower, Nursery Stock, or Florists Supplies Wholesaler | A | A | | | | | |
| Petroleum Wholesaler | A | A | | | | | |
| **USES** | **Job Center District** | **Community Commercial District** | **Light Commercial District** | | **Residential Areas** | | **Conditions** |
| | | | RO | GO | R4 | UR | |
| **INDUSTRIAL** | | | | | | | |
| **INDUSTRIAL SERVICES** | | | | | | | |
| Laundry, Dry Cleaning, or Carpet Cleaning Plants | A | A | | | | | |
| Photo Finishing Laboratory | A | A | | | | | |
| Research and Development Laboratory | A | | | | | | |
| MANUFACTURING AND PRODUCTION | | | | | | | |
| Manufacturing and Production | C | C | | | | | Sec. 6.4.57 |
| Microbrewery and Distillery | C | C | | | | | Sec. 5.11.7.B |
| **OTHER USES** | | | | | | | |
| **RECYCLING SERVICES** | | | | | | | |
| Recycling Collection Facility, Drop-Off | A | A | A | A | A | A | |
| **TRANSPORTATION** | | | | | | | |
| Sightseeing Transportation, Land or Water | A | C | | | | | Sec. 5.11.7.C |
| Taxi or Limousine Service | A | C | | | | | Sec. 5.11.7.C |
| Water Transportation | | C | | | | | Sec. 5.11.7.C |

# CHAPTER 5 | OVERLAY AND SPECIAL PURPOSE ZONING DISTRICTS

## ARTICLE 5.11 DUPONT-WAPPOO AREA OVERLAY ZONING DISTRICT (DuWap-O)

### Sec. 5.11.9 Job Center District

The Job Center District is intended to promote small entrepreneurial businesses and industries like those that already exist in the area including consumer, special trade, and automotive commercial services with limited business park uses surrounded by established Residential Uses, while controlling large scale commercial Development and more intense, high traffic generating, commercial uses such as restaurants and Bars. The following apply to Parcels in the Job Center District as indicated on the map titled "DuPont-Wappoo Area Overlay Zoning District" in addition to the applicable requirements of this Article:

A. **Density, Intensity, Dimensional, and Design Standards.**
   1. The maximum residential Density is 12 Principal Dwelling Units per acre.
   2. No single Building shall exceed 12,500 gross square feet.
   3. Maximum Impervious Surface and Building Coverage shall be based on the requirements as described in Sec. 5.11.8.L, *Special Stormwater Requirements*, and all the ability to comply with all other applicable requirements of this Ordinance.
   4. The minimum Lot Area shall be 4,000 square feet.
   5. The minimum Lot Width shall be 15 feet.
   6. The OCRM Critical Line Setback shall be a minimum of 50 feet.
   7. The OCRM Critical Line Buffer shall be a minimum of 35 feet.
   8. The Front/Street Side, Interior Side, and Rear Setback requirements of the UR Zoning District as contained in Table 4.14.3, UR Density/Intensity and Dimensional Standards, shall apply to Single-Family Detached Dwelling Units.

B. **Hours of Operation.** The hours of operation for uses that are open to the public are limited to 7:00 am to 9:00 pm.

# CHAPTER 6 | USE REGULATIONS

## ARTICLE 6.4 USE CONDITIONS

The following use conditions shall apply to Principal Uses in any Zoning District where these uses are allowed as "Conditional Uses" or "Special Exceptions" as shown in Table 6.1-1, *Use Table.*

### Sec. 6.4.12 Recreational Vehicle Park

A. Recreational Vehicles shall not be used as Short-Term Rental Properties.

B. **Location and Access.** Recreational Vehicle Parks shall be located in a public park or with direct access to a state or federal numbered highway or an approved County road. Recreational Vehicle Parks shall not access from County Non-Standard Roads. No entrance to or exit from a Recreational Vehicle Park shall be through an agricultural, residential, or Office Zoning District.

C. **Site Conditions.** Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants. No portion of the site that is subject to unpredictable and/or sudden flooding, subsidence, or erosion shall be used for any purpose that would expose Persons or property to hazards.

D. **Spaces for Occupancy; Uses Permitted; Lengths Of Stay.** Spaces in a Recreational Vehicle Park may be used by Recreation Vehicles, as defined herein. Spaces shall be rented by the day, week, or month only, and no Recreational Vehicle shall remain in the same park for more than six months. The Recreational Vehicle Park owner shall be responsible for maintaining records of all Recreational Vehicles and their lengths of stay and shall make these records available to the Zoning and Planning Director for review upon request.

E. **Site Planning and Required Improvements.** Site Planning and Improvements shall provide for:

1. Facilities and amenities appropriate to the needs of the occupants;
2. Safe, comfortable, convenient and sanitary use by occupants under all weather conditions to be expected during periods of occupancy; and
3. Protection of occupants from adverse environmental influences, and where appropriate, protection of the neighborhood from potential adverse influences within the Recreational Vehicle Park.

F. **Relation of Spaces to Public Streets.** No space shall be located so that any part intended for occupancy for sleeping purposes shall be within 50 feet of the Right-of-Way line of any major thoroughfare or Collector Street, or within 25 feet of the Right-of-Way line of any other Street.

# CHAPTER 8 | SUBDIVISION REGULATIONS

## ARTICLE 8.7
## LOTS

### Sec. 8.7.3
### Access

A. Double-Frontage Lots shall be avoided except where essential to provide separation of residential Development from major Roadways or to overcome specific disadvantages of topography and orientation. An Easement with a minimum width of ten feet may be required to restrict access from the major Street or other area.

B. All Lots shall be provided with a means of access in conformance with the standards and specifications of this Ordinance.

C. Access from Non-Standard County Roads is only allowed for Manufactured Housing Units on individual Lots and Single-Family Detached Dwelling Units.

D. All Flag Lots, Cul-de-Sac Lots, and privately accessed Lots shall comply with the International Fire Code, as adopted by County Council.

E. All ingress/egress Easements and private Rights-of-Way shall be: constructed in the location shown on the approved, recorded Plat; constructed to comply with the International Fire Code, as adopted by County Council, from their point of connection to an existing publicly owned and maintained Right-of-Way to Lot(s) proposed for Development; and inspected pursuant to Sec. A.2.5 , *County Inspection*, of this Ordinance.

F. The Zoning and Planning Director may allow use of a portion of an ingress/egress Easement or private Right-of-Way that was constructed prior to July 18, 2017 that cannot comply with the width clearance requirements of the International Fire Code when: (1) the Director determines that moving the ingress/egress Easement or private Right-of-Way to a different location is not possible due to site constraints, property size, Grand Trees, wetlands, etc.; (2) the Applicant submits letters from the providers of emergency services for the Subject Properties stating they can access all properties utilizing the ingress/egress Easement or private Right-of-Way; and (3) all future portions of the ingress/egress Easement or private Right-of-Way comply with the International Fire Code.

G. For Properties within the Urban/Suburban Area, the Directors of the Zoning and Planning and Public Works Departments may require Rights-of-Way that provide access to be paved in compliance with APPENDIX A of this Ordinance.

E. Access.

5. Access from Non-Standard County Roads is only allowed for Manufactured Housing Units on individual Lots and Single-Family Detached Dwelling Units.
6. Access to Dwelling Units shall comply with the International Fire Code, as adopted by County Council.
7. A pair of one-way drives must be separated by at least 100 feet and must comply with the vision clearance requirements contained in Art. 9.7, *Vision Clearance*.
8. Stop signs and stop bars shall be installed as required by the Director of the Zoning and Planning Department and Director of the Public Works Department.
9. Safety Services may be allowed additional curb cuts up to 60 feet in width and without a median, as approved by the Zoning and Planning Director and the agency responsible for the maintenance of the intersecting Right-of-Way, to provide for ingress and egress of emergency vehicles from their staging area.
10. For properties within the Urban/Suburban Area, the Directors of the Zoning and Planning and Public Works Departments may require Rights-of-Way that provide access to be paved in compliance with Appendix A of this Ordinance.

# CHAPTER 9 | DEVELOPMENT STANDARDS

## ARTICLE 9.3 OFF-STREET PARKING AND LOADING

### Sec. 9.3.11 Pedestrian Ways

A. **Where Required.** Pedestrian ways shall:

1. Be provided in all non-residential Development and Major Subdivisions within the Urban and Suburban Areas of the County, provided, however, that Pedestrian ways that are completely internal to Industrial Parks are not required (Pedestrian ways are required around the exterior of Industrial Parks); and
2. Link surrounding Roadways with Building entrances and between the proposed Development and uses on adjoining Lots.

B. **Placement.** Pedestrian ways within public Rights-of-Way shall conform to the construction details for sidewalks contained in Appendix A, *Charleston County Road and Drainage Construction Standards*.

C. Pervious and low-impact surfaces are encouraged. Alternative-surface walkways may be used when deemed appropriate to surrounding development characteristics by the Zoning and Planning Director. All pedestrian ways must comply with ADA requirements.

# CHAPTER 12 DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

TERM DEFINITION

**Industrial Park** Land that has been subdivided and developed according to a comprehensive plan for Industrial Uses as defined in Table 6.1-1, Use Table, of this Ordinance.

# CHAPTER 10 | NONCONFORMITIES

## ARTICLE 10.2 NONCONFORMING USES

## Sec. 10.2.4 Loss of Legal Nonconformity Status

A. **Abandonment.** If a Nonconforming Use is replaced with another use or is discontinued for any reason for a period of more than 36 consecutive months the use shall be considered abandoned. Once abandoned, the use's legal nonconforming status shall be lost and re-establishment of a Nonconforming Use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the Zoning District in which it is located.

B. **Damage or Destruction.**

1. No nonconforming commercial or industrial use that is damaged by fire or any other cause shall be restored if the cost of the repair work equals 50 percent or more of the use's total physical replacement cost (which shall consist solely of labor and materials). Determination of physical replacement costs shall be made by the Director of Building Services. When such repairs are allowed to be made, they shall be in full compliance with the regulations of this Ordinance.
2. A nonconforming Residential Use that is damaged by fire or any other cause may be restored. In such cases, the use may be re-established to the extent that existed before the time of damage (within the pre-existing Structure boundaries [footprint and height]), provided that the repairs or rebuilding do not increase the degree of nonconformity and provided that such repairs, restoration, or reconstruction begin within 36 months of the date of such damage.

# CHAPTER 10 | NONCONFORMITIES

## ARTICLE 10.3 NONCONFORMING STRUCTURES

### Sec. 10.3.6 Loss of Legal Nonconforming Status; Damage or Destruction

A. No Nonconforming commercial or industrial Structure that is damaged by fire or any other cause shall be restored if the cost of the repair work equals 50 percent or more of the Structure's total physical replacement cost. Determination of physical replacement costs shall be made by the Director of Building Services. When such repairs are allowed to be made, they shall be in full compliance with the regulations of this Ordinance.

B. A Nonconforming Residential Structure that is damaged by fire or any other cause may be restored. In such cases, the Structure may be re-established to the extent that existed before the time of damage (within the pre-existing Structure boundaries [footprint and height]), provided that the repairs or rebuilding do not increase the degree of nonconformity and provided that such repairs, restoration, or reconstruction begin within 36 months of the date of such damage.

C. Nothing in this Section shall conflict with the requirements of the Federal Emergency Management Agency's (FEMA) Flood Plain Management Regulations.

# CHAPTER 12 DEFINITIONS

## ARTICLE 12.1 TERMS AND USES DEFINED

**TERM DEFINITION**

### A

**Approvable State** Applications are considered in an Approvable State if they demonstrate compliance with all of the applicable requirements of the Charleston County Zoning and Land Development Regulations Ordinance, as determined by the Zoning and Planning Director.