

**AN ORDINANCE  
AMENDING SECTIONS 5-2.2, 5-4, AND 5-15 OF THE CITY OF NORTH CHARLESTON  
CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO ELIMINATE  
REFERENCES TO OBSOLETE FUTURE LAND USE MAP DESIGNATIONS**

**Whereas**, City Council adopted the “Prime North Charleston” comprehensive plan, which included a new Future Land Use Map with new future land use designations, on June 25, 2020; and

**Whereas**, the City’s existing Zoning Regulations contain references to future land use designations found in prior iterations of the Future Land Use Map, and those references have been made obsolete through the adoption of a new Map; and

**Whereas**, pursuant to a duly advertised public meeting held on September 14, 2020, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to delete those obsolete references;

**Now, therefore, be it ordained and enacted by the Mayor and Council** that certain provisions of the Zoning Ordinance, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein. Note new language/amendments are in **UNDERLINED BOLD** and changes are in ~~strikethrough~~.

THE WITHIN ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS RATIFICATION BY CITY COUNCIL.

Ordained in City Council this 22<sup>nd</sup> day of October, 2020 in the Year of our Lord, and in the 244<sup>th</sup> year of Independence of the United States of America.

  
R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

  
LEGAL COUNSEL

ATTEST:

  
SANDY L. BROWN, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL  
AGENDA ITEM**

Meeting of October 22, 2020

**DATE:** September 29, 2020

**ITEM TITLE:** Ordinance – Final Reading  
An Ordinance Amending Sections 5-2.2, 5-4, and 5-15 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Eliminate References to Obsolete Future Land Use Map Designations

**SUBMITTED BY:** Planning Commission

**CONTACT PERSON:** Gwen Moultrie, Zoning Administrator, (843) 740-2572

**SUMMARY EXPLANATION:**

With the recent adoption of the “Prime North Charleston” plan, including a new Future Land Use Map, several references to the past Future Land Use Map designations became obsolete. Staff is recommending some minor changes to the Regulations to eliminate the outdated references.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:**

On September 14, 2020, the Planning Commission held a public hearing and voted unanimously to recommend approval (7-0-0).

**COUNCIL COMMITTEE RECOMMENDATION:**

On October 15, 2020 the Public Safety Committee voted to recommend approval.

**COUNCIL ACTION:**

Exhibits  
 Resolution  Ordinance  Contract  Minutes  Plan/Map  Transfer of Funds  Other

## EXHIBIT A

### Section 5-2.2. - OD, Office district:

It is the intent of the OD zoning district to provide areas for new and infill office and institutional uses serving neighborhood and citywide needs, including neighborhood services, professional and semi-professional offices. The types of uses permitted and restrictions of the district are intended to provide an amenable environment for professional offices separate from the intensive development of commercial and industrial development.

- (c) *Conditional uses:* The following uses shall be permitted in the OD district, on the condition that they are located in the ~~following future land use districts: major business/retail, multi family residential, highway oriented use, light industrial, institutional, office professional, mixed-use centers, and redevelopment priority.~~ **mixed use corridor future land use.**

[1.] Full service restaurants, provided that:

- (a) The establishment does not operate during hours when meals are not being served,
- (b) Does not feature dance floors or live entertainment;
- (c) Does not offer catered events;
- (d) The sale of food accounts for in excess of fifty (50) per cent of the restaurants gross revenues; and
- (e) That, if alcohol is served, the restaurant is located not closer than five hundred (500) feet from a residentially zoned property or property dedicated to residential use.

For purposes of this subsection, measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where the restaurant is operated, to the nearest property line of the residentially zoned property or property dedicated to residential use. Furthermore, conditional uses established pursuant to the setback distances described herein shall not be rendered nonconforming by the location subsequent to the grant or renewal of the conditional use, of a residentially zoned parcel or parcel dedicated to residential use within the required setback distance.

### Section 5-4. - B-2, General business district:

It is the intent of this section that the B-2 zoning district be established in the appropriate land reserved for general business purposes with particular consideration for general commercial development. The regulations that apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business, financial, and professional service uses which benefit from being in close proximity to each other:

- (b) *Conditional uses:* The following uses shall be permitted in any B-2 zoning district subject to the stated conditions:

3. Gas stations and related convenience stores including a one-bay car wash, provided that:
  - a. Side and rear buffers of the Type B variety are provided. Such buffers shall be required without regard to the character of adjacent or abutting uses; and
  - b. A front buffer is installed. The front buffer shall contain the following minimum ornamental plantings per one hundred (100) linear feet of frontage:

- (1) Three (3) canopy trees, two and one-half (2½) inch caliper minimum.
- (2) Three (3) understory trees, six (6) to eight (8) inch height minimum.
- (3) Twenty-five (25) shrubs, three (3) gallon minimum.
- c. A front setback of twenty-five (25) feet is provided.
- d. Side and rear setbacks: twenty-five (25) feet.
- e. The location is not within the Upper or Middle Dorchester overlay districts. Existing gas stations and related convenience stores operating as legal, but non-conforming, uses within these overlay districts are exempt from the provisions of section 4-5(c).
- f. Vehicle repair is not allowed.
- ~~g. The B-2 zoning district is designated for regional commercial or industrial use in the comprehensive development plan.~~

**Section 5-15. - AG, Agricultural district:**

It is the intent of this section that the AG district be established to reserve appropriate land for agricultural activities, protect agricultural land and land uses from development pressures, protect natural and historical resources, preserve wetlands, watercourses and other significant natural resource areas, and to preserve the scenic quality of the landscape. ~~The AG district shall be applied to areas designated for agricultural uses on the future land use map.~~

- (a) *Permitted uses:* The following uses shall be permitted in the AG zoning district:
  - 1. Agricultural uses:
    - a. Agriculture, crop production;
    - b. Agriculture, horse care, stabling and boarding;
    - c. Forestry.
  - 2. Residential uses:
    - a. Single-family residential;
- (b) *Accessory uses:*
  - 1. Accessory uses shall be limited to uses that are applicable to R-1, single-family residential district. However, private kennel or other quarters for the keeping of poultry or animals for commercial purposes are permitted provided that such use does not generate a nuisance to adjoining properties and commercial flower, ornamental shrub or vegetable garden, greenhouse or slat house not more than eight (8) feet in height shall be permitted.