

**AN ORDINANCE
AMENDING SECTIONS 5-4.2, 5-5 AND 5-6 OF THE CITY OF NORTH CHARLESTON
CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO PROVIDE
CONDITIONS AND CHANGES TO COMMERCIAL USES**

WHEREAS, the City of North Charleston is empowered to regulate land use to ensure orderly growth and harmony among neighboring uses; and

WHEREAS, the City of North Charleston's PRIME Comprehensive Plan recommends enhancing the character of commercial corridors; and

WHEREAS, changes to commercial uses are proposed to provide clarity and additional uses and conditions;

WHEREAS, pursuant to a duly advertised public meeting held on May 9, 2022, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to make clarifications and add certain conditions; and

Now, therefore, be it ordained and enacted by the Mayor and Council that certain provisions of the Zoning Regulations, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein.

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

Ordained in City Council this 23rd day of June, in the year of our Lord, 2022, and in the 245th 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

EXHIBIT A

Section 5-4.2. - CRD, Commercial redevelopment district:

Is the intent of this section that the commercial redevelopment zoning district be established and appropriate land reserved for locally and regionally-serving commercial retail, entertainment, civic, and public uses, as well as a variety of urban housing choices. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible and economically healthy environment for business uses which benefit from being in close proximity to each other. The mixing and stacking of uses shall be encouraged to foster dense and walkable nodes adjacent to higher density commercial development such as shopping malls, commercial amusements, or similar compatible gathering places:

(a) *Permitted uses:* The following uses shall be permitted in the CRD zoning district:

...

51. Taverns, ~~and clubs; including~~ micro-breweries and small-scale distilleries;

...

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

...

6. Clubs and events centers provided that when located within 250 ft. of a residentially zoned or used parcel:

- a) Interior sound-proofing. For purposes of this section, the distance shall be measured “as crow flies” from the walls of the business to the closest point along the property line devoted to the residential zoned or used property;
- b) No music is permitted in outdoor seating and/or outdoor bar areas after 11:00 p.m.; and
- c) Music, whether live or recorded, or indoor or outdoor, is not in violation of the city noise ordinance at Section 13-126

...

Section 5-5. - M-1, Light industrial district:

It is the intent of the M-1 zoning district to provide areas for commercial, warehousing, transportation, and certain light manufacturing activities that provide the backbone for economic development and job creation and are appropriate along established transportation corridors with separation and buffering from residential areas.

(a) *Permitted uses:* The following uses shall be permitted in the M-1 zoning district:

...

4. Highway oriented uses, including gas stations, auto, truck (Class V and above), and boat repair establishments, tire retreading establishments, paint and body shops, and establishments selling used and new cars, motorcycles, boats, trailers, recreational vehicles, manufactured homes, farm and industrial equipment, and car and truck rentals.

...

Section 5-6. - M-2, Heavy industrial district:

It is the intent of the M-2 zoning district to provide areas for commercial, manufacturing, storage, processing, and transportation-related activities in areas with related necessary support facilities and that provide adequate separation from residential neighborhoods and commercial uses:

(a) *Permitted uses:* The following uses shall be permitted in the M-2 zoning district:

...

5. Dance halls, taverns or clubs, provided that when located within 250 ft. of a residentially zoned or used parcel:

- a) Interior sound-proofing. For purposes of this section, the distance shall be measured “as crow flies” from the walls of the business to the closest point along the property line devoted to the residential zoned or used property;
- b) No music is permitted in outdoor seating and/or outdoor bar areas after 11:00 p.m.; and
- c) Music, whether live or recorded, or indoor or outdoor, is not in violation of the city noise ordinance at Section 13-126

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of June 23, 2022

DATE: May 11, 2022

ITEM TITLE: Ordinance – Final Reading
Proposed Amendment of Sections 5-4.2, 5-5 and 5-6 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Provide Conditions and Changes to Commercial Uses

SUBMITTED BY: Planning Commission

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

SUMMARY EXPLANATION:

A text amendment is proposed to revise commercial uses in CRD, M-1, and M-2 as follows:

- Provides separation requirements for event centers in CRD and M-2 zoning
- Classifies permissible auto-repair facilities to Class 5 and above in M-1

There were no speakers at the public hearing at Planning Commission.

STAFF RECOMMENDATION:

Approval.

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

The Planning Commission held a public hearing on May 9, 2022, and unanimously (7-0-0) voted to recommend approval of the proposed amendment.

COUNCIL COMMITTEE RECOMMENDATION:

On June 16, 2022, the Public Safety Committee voted unanimously to recommend approval of the Ordinance as presented (10-0-0).

COUNCIL ACTION:

Mayor Summey stated without objection, this item will be referred to the Public Safety Committee on June 16, 2022, for further review and a recommendation.

Exhibits

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