

AN ORDINANCE

AMENDING SECTION 6-14 OF THE CITY OF NORTH CHARLESTON CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO REVISE LANDSCAPING REQUIREMENTS FOR PARKING LOTS

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 and design standards of corridors and spaces; and

WHEREAS, changes to the landscaping requirements are proposed for clarity; and

WHEREAS, pursuant to a duly advertised public hearing held on March 13, 2023, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to revise the landscaping requirements.

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 BECOME EFFECTIVE IMMEDIATELY UPON ITS ADOPTION BY CITY COUNCIL.

Ordained by City Council this 27th day of April, in the Year of Our Lord, 2023, in the 246th year of Independence of the United States of America.


R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:


LEGAL COUNSEL

ATTEST:


COURTNAY HEYWARD, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of April 27, 2023

DATE: March 14, 2023

ITEM TITLE: An Ordinance Amending Section 6-14 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Revise Landscaping Requirements for Parking Lots

SUBMITTED BY: Planning Commission

CONTACT PERSON: Megan Clark, Planning Division Director, (843) 740-2617

SUMMARY EXPLANATION:

A text amendment to Section 6-14 is proposed to make the following changes:

- Revise the landscaping and buffering requirements to apply to all vertical improvements greater than 500 square feet
- Exempt parking garages from the interior parking lot landscaping requirement
- Provide regulations for flexibility for landscaping for truck, car inventory, and car dealerships

STAFF RECOMMENDATION:

Approval

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

The Planning Commission held a public hearing on March 13, 2023, and voted to recommend approval of the proposed amendment (5-1-0).

COUNCIL COMMITTEE RECOMMENDATION:

April 20, 2023 the Public Safety Committee voted unanimously to approve the Ordinance as presented.(10-0-0)

COUNCIL ACTION:

Mayor Summey stated that without objection, this item will be referred to the Public Safety Committee on April 20, 2023 for further review and a recommendation.

Exhibits

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

EXHIBIT A

Section 6-14. Landscaping:

- (a) *Definition and purpose.* Landscaping is an improvement to an area of land permanently devoted and maintained for the growing of trees, shrubbery, grass, other plants and decorative features to the land. This improvement is intended to improve the appearance of vehicular use areas and development abutting public rights-of-way; to protect, preserve, and promote the aesthetic appeal, scenic beauty, character and values of land in the city; to promote the aesthetic appeal, safety through the reduction of noise pollution, stormwater run off, air pollution, visual pollution, and artificial light glare.
- (b) *Where required.* No proposed nonresidential use shall hereafter be established or reestablished in an existing building or structure, and subsequently used unless landscaping and buffering are provided in accordance with the provisions of this section and section 6-12. ~~No existing building, structure or vehicular use area shall be reoccupied by a new use, or expanded or enlarged by fifty (50) per cent or more unless the minimum landscaping required by the provisions of this section is provided throughout the building site. Enlargement involving twenty (20) to fifty (50) per cent of the existing building shall meet the minimum requirements for the enlargement only. Enlargements involving less than twenty (20) per cent shall not be required to meet the landscaping requirements provided herein. Vertical improvements greater than 500 square feet shall require the entire property to be brought into compliance with the minimum requirements of this Section and Section 6-12.~~
- (c) *Landscaping plan.* A landscaping plan shall be submitted as part of the application for a permit. The plan shall:
 - (1) Designate areas to be reserved for landscaping. The specific design of landscaping shall be sensitive to the physical and design characteristics of the site.
 - (2) Indicate the location and dimensions of landscaped areas, plant materials, decorative features, etc.
 - (3) Identify all existing trees ten (10) inches DBH (diameter breast height) in required setback (yard) areas.
 - (4) The landscape plan shall include all material (including existing) used to comply with the buffer requirement.
- (d) *Landscaping requirements.* Required landscaping shall be provided as follows:
 - (1) Along the outer perimeter of a lot or parcel, where required by the buffer area provisions of this article, to buffer and separate incompatible land uses. The amount of buffering is specified in section 6-12.
 - (2) Within the interior, peninsula or island type landscaped areas shall be provided for any open vehicular use area containing ten (10) or more parking spaces, excluding parking

garages. Landscaped areas shall be located in such a manner as to divide and break up the expanse of paving and at strategic points to guide travel flow and directions. Elsewhere, landscaped areas shall be designed to soften and complement the building site.

At a minimum, interior lot landscaping shall be provided in the following amounts:

Use	Per Cent of Lot
Institutional	15
Industrial/wholesale/storage	5
Office/office warehouse	10
Commercial-retail-service	5

Buffer area landscaping may provide up to fifty (50) per cent of the above requirement. Landscaping along exterior building walls and structures is suggested to separate with greenery the building from the vehicular surface area.

(e) *Landscaped areas.*

- (1) All landscaped areas in or adjacent to parking areas shall be protected from vehicular damage by a raised concrete curb or an equivalent barrier of six (6) inches in height. The barrier need not be continuous.
- (2) Landscaped areas must be at least twenty-five (25) square feet in size and a minimum of three (3) feet wide to qualify.
- (3) Landscaped areas adjacent to parking spaces shall be landscaped so that no plant material greater than twelve (12) inches in height is located within two (2) feet of the curb or other protective barrier. (Plant material greater than twelve (12) inches in height would be damaged by the automobile bumper overhang or by doors swinging open over the landscaped areas.)
- (4) Planting of canopy trees is required at a rate of one (1) tree per ten (10) parking spaces. Parking lots associated with car dealerships, inventory lots for the storage of manufactured vehicles, or Class V parking lots may propose to satisfy the canopy-tree requirement through relocation of the trees to other areas of the site, through upsizing other required landscaping materials, or other alternate methods at the approval of the zoning administrator.

(f) *Required maintenance.* The maintenance of required landscaped areas shall be the responsibility of the property owner and the tenant both jointly and severally. All such areas shall be properly maintained so as to assure their survival and aesthetic value, and shall be provided with an irrigation system or a readily available water supply. Failure to monitor such areas is a violation of this ordinance, and may be remedied in the manner prescribed for other violations.

(Ord. No. 1998-51, 5-28-98; Ord. No. 1998-107, 12-22-98; Ord. No. 2009-13, 3-26-09; Ord. No. 2015-023, 5-28-2015; Ord. No. 2020-037, Exh. A, 8-27-2020)