

**AN ORDINANCE  
AMENDING SECTIONS 6-1 AND 10-20 OF THE CITY OF NORTH CHARLESTON  
CODE OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO REVISE THE  
FRONT-SETBACK REQUIREMENTS FOR SINGLE AND MULTI-FAMILY  
DWELLING UNITS**

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

WHEREAS, changes to the front-setback requirements for single and multi-family dwelling units are proposed to allow for more site-planning flexibility within neighborhoods; and

WHEREAS, pursuant to a duly advertised public meeting held on April 10, 2023, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to revise the front-setback requirements.

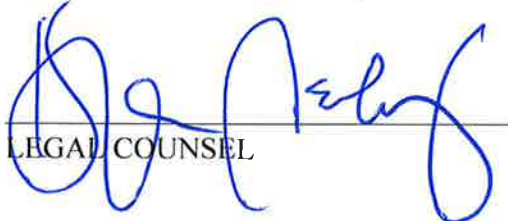
**Now, therefore, be it ordained and enacted by the Mayor and Council** that certain provisions of the Zoning Regulations, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS ADOPTION BY CITY COUNCIL.

Ordained by City Council this 25th day of May, in the Year of Our Lord, 2023, in the 246<sup>th</sup> year of Independence of the United States of America.

  
R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:

  
LEGAL COUNSEL

ATTEST:

  
COURTNEY HEYWARD, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL  
AGENDA ITEM**

Meeting of May 25, 2023

**DATE:** April 11, 2023

**ITEM TITLE:** Amending Sections 6-1 and 10-20 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Revise the Front-Setback Requirements for Single and Multi-Family Dwelling Units

**SUBMITTED BY:** Planning Commission

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

**SUMMARY EXPLANATION:**

A text amendment is proposed to the setbacks for single and multi-family dwellings to allow the front setback for single and multi-family dwelling units to be reduced by ten (10) feet where parking is provided under the dwelling unit. An amendment is also proposed to remove the additional 5' setback for townhomes, since a Type B buffer is already required where abutting unlike uses.

**STAFF RECOMMENDATION:**

Approval

**BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:**

The Planning Commission held a public hearing on April 10, 2023 and voted unanimously to recommend approval of the text amendment (7-0-0).

**COUNCIL COMMITTEE RECOMMENDATION:**

May 18, 2023 the Public Safety Committee voted unanimously by voice vote to recommend approval of this Ordinance as presented.(9-0-0)

**COUNCIL ACTION:**

Mayor Summey stated that without objection, this item will be referred to the Public Safety Committee on May 18, 2023 for further review and a recommendation.

## EXHIBIT A

### Section 6-1. Requirements in R-1 single-family residential, R-2 multi-family residential, R-3 mobile home residential and AG agricultural districts:

Unless otherwise specified elsewhere in this ordinance uses permitted in the R-1, R-2, R-3 and AG zoning districts shall conform to the following standards:

...

#### (c) *Single-family (detached) dwelling requirements:*

##### 1. *Front yards:*

- a. Where fifty (50) per cent or more of the lots located on the same block between two (2) intersecting streets are developed, the average alignment of the buildings on the same side of the block within two hundred (200) feet of such lot shall be the minimum setback line, plus or minus two and one-half (2½) feet. For the purposes of these calculations, the frontage along the side line of a corner lot is excluded. Where parking is provided under an elevated structure, the front setback may be reduced by ten (10) feet.
- b. Where a minimum setback is not established as above, the setback shall be twenty (20) feet. Where parking is provided under an elevated structure, the front setback may be reduced by ten (10) feet.
- c. Porches and steps are considered to be a part of the main body of the house and may not encroach within the front yard setback.
- d. Detached accessory use structures are not permitted in front yards.
- e. The primary entrance to the home shall be oriented toward a street frontage.

...

#### (d) *Multi-family residential dwelling requirements:*

##### 1. *Front yards:*

- a. The minimum front yard depth for buildings in multi-family districts shall be twenty (20) feet;
- b. The minimum front yard depth for town and row houses is twenty-five (25) feet on interior units. A minimum twenty (20) foot setback shall be required on end units where automobile parking or storage within the residence with entry from the front. If parking can be accommodated under an elevated structure, on the end or rear of units, or on property held in common by the townhouse development owners having adequate access to a dedicated public street, the front setback may be reduced to ten (10) feet.

2. *Side yards:*

- a. The minimum side-yard depth for buildings in multi-family districts shall be (ten) 10 feet.
- b. For row-houses or townhouses, a side yard at least ten (10) feet in width shall be provided between the end of a row and a side lot line or side street line.

3. *Rear yards:*

- a. The rear yard setback in the R-2 district shall not be less than twenty (20) feet. Forty (40) per cent of the area of the rear yard may be occupied by a one-story accessory building not more than eighteen (18) feet in height to the ridge, or the height of the existing residence, whichever is less, and at least six (6) feet from any structure and three (3) feet from any interior line.
- b. For row-houses or townhouses, the rear yard depth shall be at least twenty (20) feet from the main building line to the rear property line. Such measurements shall be made without regard to attached or detached storage, utility or covered patio areas. ~~There shall be added to the above requirements an additional ten (10) feet of rear yard depth where automobiles are parked or stored in the rear yard.~~
- c. ~~When townhouses or row houses are located within a district (overlay or otherwise) requiring buffers, the minimum required setbacks shall be equal to the greater of (i) the required buffer plus five (5) feet; or (ii) the setbacks otherwise specified within this or other sections of the Zoning Code.~~

(Ord. No. 1985-17, 3-28-85; Ord. No. 1995-52, 10-24-95; Ord. No. 1996-46, 8-22-96; Ord. No. 1997-32, 5-22-97; Ord. No. 1998-51, 5-28-98; Ord. No. 1998-85, 9-24-98; Ord. No. 1998-107, 12-22-98; Ord. No. 2005-21, 4-28-05; Ord. No. 2006-10, 3-23-06; Ord. No. 2007-75, 10-25-07; Ord. No. 2009-50, 9-24-09; Ord. No. 2021-048, Exh. A, 6-24-2021; Ord. No. 2022-009, Exh. A, 1-27-2022; Ord. No. 2022-022, Exh. A, 3-24-2022)

**Section 10-20. Conservation district regulations:**

...

(b) *Standards against which proposed activities requiring conservation district review will be evaluated:*

- (1) *Setbacks.* The required front yard setback shall be equal to the average setback for structures located along the same street block, plus or minus two and one-half (2½) feet. In instances in which no average setback for structures located along the same street block can be determined, the required setback shall be twenty-two and one-half (22½) feet, plus or minus two and one-half (2½) feet. Where parking is provided under an elevated structure, the front setback may be reduced by ten (10) feet. Side and rear setbacks shall be provided in accordance with Section 6-1.

Secondary structures are to be established behind the main structure and hence may not be established in the front yard setback area.

- (2) *Floor area ratio (FAR).* Floor area ratio shall be determined by dividing the ratio total square footage of the structure by the total square footage of the lot. The bottom story of an elevated structure is exempted from the FAR calculation.

FAR's for new structures or existing structures when any proposed additions/renovations are considered may not exceed 0.50 for one-story homes and 0.75 for two-story homes.

If the average FAR for all structures on the same block as the subject property is more than twenty-five (25) per cent different than the applicable 0.50 and 0.75 FAR listed above then the FAR limit applicable to the subject property shall be the average FAR for all structures on the same block as the subject property.

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(Ord. No. 2008-22, § 2, 4-24-08; Ord. No. 2017-076, 11-21-2017; Ord. No. 2020-008, Exh. A, 1-23-2020)