

**AN ORDINANCE  
AMENDING SECTIONS 3-2 & 6-1 OF THE CITY OF NORTH CHARLESTON CODE  
OF ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO REVISE THE  
DEFINITION AND DESIGN STANDARDS FOR GARDEN AND CLUSTER  
DEVELOPMENTS AND DELETE SECTION 6-6 IN ITS ENTIRETY**

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 within neighborhoods; and

WHEREAS, changes to the garden and cluster design standards are proposed to for consistency within the design standards; and

**Whereas**, pursuant to a duly advertised public meeting held on November 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 definition and standards for garden and cluster developments.

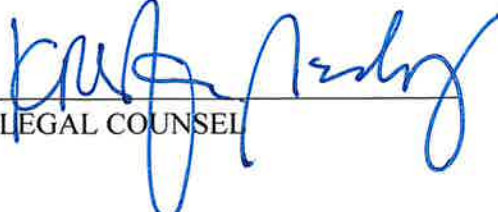
**Now, therefore, be it ordained and enacted by the Mayor and Council** that certain provisions of the Zoning Regulations, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein.

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

Ordained by City Council this 28th day of December, in the Year of Our Lord, 2023, in the 247<sup>th</sup> 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 December 28, 2023

**DATE:** November 13, 2023

**ITEM TITLE:** An Ordinance Amending Sections 3-2 & 6-1 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Revise the Definition and Design Standards for Garden and Cluster Developments and Delete Section 6-6 in its Entirety

**SUBMITTED BY:** Planning Department

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

**SUMMARY EXPLANATION:**

A zoning text amendment is proposed to revise the standards for garden and cluster developments to be more consistent with other design requirements for single family development.

**STAFF RECOMMENDATION:**

Staff recommends approval.

**BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:**

The Planning Commission held a public hearing on November 13, 2023, and a motion to recommend approval carried unanimously (7-0-0).

**COUNCIL COMMITTEE RECOMMENDATION:**

**COUNCIL ACTION:**

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

## APPENDIX A

### Section 3-2. - Definitions:

...

*Cluster subdivision.* A form of development for single-family residential subdivision that permits a reduction in lot area and bulk requirements, ~~provided there is no increase in the number of lots permitted under a conventional subdivision~~ and the resultant land area is devoted to open space.

...

### 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:

...

#### (f) *Special provisions for garden and cluster units in R-1 and R-2 zoning districts:*

1. *Maximum dwelling unit density:* The maximum dwelling unit density shall not exceed fifteen (15) single-family units per acre in areas designated for traditional neighborhood development and mixed use, and ten (10) single-family units per acre for all other areas. including any such property dedicated for public use or ownership in common, excluding dedicated public roads.
2. *Per cent of lot occupancy:* No dwelling unit may occupy more than fifty (50) per cent of a lot. This does not include attached or detached utility, storage, garage, or a covered patio area that may protrude from the main building line.
3. *Yard requirements:*
  - a. Front: Ten (10) feet
  - b. Side: A minimum side yard of five (5) feet shall be provided on one (1) side and a minimum of ten (10) feet shall be provided on the other side yard. each side.
  - c. Rear: 15% of the depth of the lot
  - d. Lot Width: 30 feet
4. ~~*Clothes lines:* All yard areas used for the drying of clothes shall be screened from view of the adjoining yards and lots.~~
45. *Parking:* Two (2) parking spaces shall be provided on the site of the garden or cluster housing unit.
56. ~~*Material to be submitted for planning commission review:*~~ All applicants for garden and cluster housing developments ~~for site in R-1 single family areas designated for traditional neighborhood development~~ shall ~~first~~ submit site plans including details such as number, location, and orientation of dwelling units; plans for off-street parking and service areas; common open space; ingress and egress arrangements with a copy of the legal documentation for common ownership and

public ownership to the zoning department for review, and recommendation to the planning commission. The commission, after due consideration at a public meeting, is hereby authorized and empowered to approve the said plans. garden and cluster developments proposed in R-2 multi-family zoning districts shall be submitted to the zoning department for review and do not require planning commission review or approval.

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#### **Section 6-6. Garden and cluster housing:**

In order to promote the general welfare of the city through the appropriate intermingling of garden and cluster housing with other types of housing and to insure that new developments shall contribute to the building of economically sound and desirable living areas within the community, the following regulations shall be applied to garden and cluster housing in R-1, R-2, R-3, B-1 and B-2 districts:

- (a) ~~Maximum dwelling unit density: The maximum dwelling unit density shall not exceed ten (10) units per acre including any such property dedicated for public use or ownership in common, excluding dedicated public roads.~~
- (b) ~~Per cent of lot occupancy: No dwelling unit may occupy more than fifty (50) per cent of a lot. This does not include attached or detached utility, storage, garage, or a covered patio area that may protrude from the main building line.~~
- (c) ~~Side yard requirements: A minimum of ten (10) feet shall be provided between all buildings separated by a lot line.~~
- (d) ~~Zero lot line: Garden and cluster housing may be built with zero lot line on one (1) side wall provided that there are no openings in any such wall and that a five-foot maintenance easement shall be provided adjacent to said wall.~~
- (e) ~~Special requirements:~~
  - 1. ~~Any building established with garden or cluster housing which does not face directly on a public street shall be provided with access to a public street.~~
  - 2. ~~All yard areas used for the drying of clothes shall be screened from view of the adjoining yards and lots.~~
  - 3. ~~Two (2) parking spaces shall be provided either partially or wholly on or off the site of the garden or cluster housing unit.~~
- (f) ~~Material to be submitted for planning commission review: All R-1 district applicants for garden and cluster housing developments shall first submit architectural plans including details such as number, location, and orientation of dwelling units; plans for off street parking and service areas; ingress and egress arrangements with a copy of the legal documentation for common ownership and public ownership to the department of planning and management for review and recommendation to the planning and zoning commission. Which commission,~~

~~after due consideration at a public meeting, is hereby authorized and empowered to approve the said plans.~~

~~(g) Material to be submitted for administrative review: All R-2 district applicants for garden and cluster housing developments shall first submit architectural plans including details such as number, location, and orientation of dwelling units; plans for off-street parking and service areas; ingress and egress arrangements with a copy of the legal documentation for common ownership and public ownership to the zoning department for administrative review.~~

~~(Ord. No. 1985-48, 6-27-85; Ord. No. 1985-69, 10-24-85; Ord. No. 2011-040, 8-25-2011)~~