

**PLANNED DEVELOPMENT GUIDELINES AND  
LAND USE PLAN  
FOR THE  
ST. JOHN'S WATER COMPANY  
IN  
CHARLESTON COUNTY**

**PREPARED FOR:**



**PREPARED BY:**

**BP Barber**

**4016 Salt Pointe Parkway, Suite 200**

**Project No. 09283**

**January 2009**

**(Revised: August 5, 2010)**



## TABLE OF CONTENTS

1. PROJECT OVERVIEW AND STATEMENT OF INTENT .....	2
2. SITE INFORMATION.....	2
3. PROPOSED LAND USES .....	3
4. GENERAL GUIDELINES.....	4
5. PARKING REQUIREMENTS.....	6
6. TRAFFIC GENERATION .....	6
7. TREE PROTECTION AND REMOVAL .....	7
8. SIGNS.....	7
9. SITE LIGHTING.....	7
10. ARCHITECTURAL GUIDELINES.....	7
11. GENERAL GUIDELINES.....	8
<b>APPENDIX A – LETTERS OF APPROVAL &amp; PROOF OF COORDINATION</b>	
<b>APPENDIX B – SITE PLANS AND PARCEL SKETCHES</b>	
<b>APPENDIX C – ORDINANCES FROM THE CHARLESTON COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR)</b>	



## 1. PROJECT OVERVIEW AND STATEMENT OF INTENT

The following document has been created to outline the land use and site development criteria for two parcels owned by the St. John's Water Company (SJWC) located along Maybank Highway on Johns Island (TMS# 279-00-00-037 and 279-00-00-038). The two parcels will be combined and will continue to act as the location for operations for SJWC, a private non-profit public works company supplying water to John's Island, South Carolina. SJWC is a significant part of the John's Island Community – an example both of the character of the Island and of the people who live there.

Due to the recent and future development of John's Island, SJWC is forced to increase their operations and improve the facilities they have in order to provide the level of service their customers deserve and are accustomed to. Initially, SJWC is proposing to construct an Operations and Maintenance facility which could include such features as storage space, a workshop area, meeting room, and office space. In this initial phase a truck storage building is also proposed in order to provide protection for their vehicles. This initial work will take place within the year of 2010.

The future development of the site shall be utilized as required by the current master plan for the system such that administration and operation and maintenance procedures may grow along with the system. These land uses include but are not limited to, additional office space, addition storage space, and an elevated water storage tank. Additional office space may be provided through expansion of the existing facility or with a new building. Specific future primary and accessory structures associated to the operations of SJWC is not currently known however as the need arises, the property will be modified to meet the operational needs. Aside from the initial expansion mentioned above, there is no current time frame for this further future development. This area for future use shall remain in a natural state (existing state) until such time as development permits are approved.

## 2. SITE INFORMATION

The subject property is comprised of two parcels, TMS #279-00-00-037 and 279-00-00-038, with a total area of 9.2 acres and is located along Maybank Highway. Parcel 279-00-00-038, zoned General Office (OG), currently houses the SJWC office and administrative building, vehicle storage, parking, equipment and supplies storage



and community ball fields. The existing building has a walk up window to serve customers as well as a drive through window. Parcel 273-00-00-037, zoned Planned Development (PD-77), is being used for employee parking, open storage of materials related to maintaining the system, and is otherwise unoccupied. The two properties will be combined into one parcel. Wetlands occupy the rear portion of the property and are a combined total of approximately 2.8 acres, which will not be developed.

The proposed uses to the site will not impact or adversely affect the surrounding existing public facilities and services such as roads, water or sewer. Any increase in traffic generation or water and wastewater demand will be minimal. This includes any potential future uses.

### **3. PROPOSED LAND USES**

The land uses for this property shall be such that will allow SJWC to continue with its existing operation and use of the property as well as the ability to expand its operations as deemed necessary by the increased growth to John's Island. Uses for the parcel will be related to general office and administration, enclosed storage space, workshop area, vehicle storage, parking and other uses as related to SJWC operations. The open storage of materials related to maintaining the system shall be allowed.

St. John's Water Company allows the Johns Island Little League to use the existing ball fields that are on the southwestern side of the parcel. They are the only League that uses the fields. The fields are used during little league season which is mainly April through September. The fields are used mostly on weekends and once or twice during weekdays after 5:00 pm. The St. Johns Water Company office hours are Monday through Friday 8:30 am – 4:30 pm. The ball fields are used during the week after 5:00 pm and on the weekends, so the office is not open when the ball fields are in use. The ball field patrons use the parking in front of the ball fields and near the bleachers and dug-outs which are on the opposite side of the property as the office. The ball field patrons do not use the office parking areas as they are not convenient to the ball fields. The ball field has its own entrance and does not use the office entrance. All recreational parking is contained on the ball fielded portion of the property.

An elevated water tank shall be allowed on the parcel in the event SJWC needs to increase the emergency storage within the system as required by the South Carolina Department of Health and Environmental Services, Water Division. As currently zoned, (office, general) a water storage tank is allowed if it complies with use-specific



conditions stated in section 6.4.21. This document will revise those conditions to the following:

- Elevated water tank shall comply with the Site Plan Review requirements of this Ordinance.
- The elevated water tank shall have a setback of 75' from the side and rear property lines and 100' from the front.
- Vehicle Storage will be allowed at the site. Vehicles will be solely for the purpose of the operations of the SJWC.

The water tank is to be sited on the parcel as to provide a fall zone equal to the height of the water tank. This fall zone is to be entirely within the limits of the St. John's property boundary. The height of the tank will be restricted to 200' above the existing grade. This height does not require a safety light on top, per requirements from the Federal Aviation Administration.

Accessory structures associated to the operation and maintenance of the system shall be allowed and will follow the standards within this document. The size of any accessory structures may exceed 25 percent of the area of the principal structure. Residential use of accessory structures shall be prohibited.

#### 4. GENERAL GUIDELINES

The table below will apply to the newly created parcel. The setbacks and buffers apply for all primary and accessory structures.

Front Yard Setback	75'	
Side Setback	15'	
Rear Setback	20'	
Rear Tank Setback	75'	
Front Buffer*	75'	Type S5
Side Buffer**	10'	Type B
Rear Buffer	10'	Type B

\*The 75' front buffer will adhere to the Maybank Highway overlay district for all future phases. The initial phase will take place on the northern portion of the site. Instead of landscaping this area, SJWC will spread the same amount of landscaping required along the entire front in an effort to improve the overall landscaping of the site and not just the portion being developed.



\*\*The side buffer along the proposed building on the eastern boundary shall be 15' of landscaping. In addition to the buffer there will be a 6' high privacy fence. Buffering trees will be required so that it will provide additional screening above the fence. These trees are not limited to canopy trees. In the initial phase of the project, palmettos (or a similar, small root, screening tree) will be planted along the existing privacy fence and will provide additional screening from the neighboring resident. Palmettos were chosen because of the small roof system. Because of the proximity of the building to these trees, it's important to use vegetation that will not affect the integrity of the building foundation.

Side buffer on the western portion of the parcel shall remain as it is currently and improved, if necessary, to meet the standards if any primary structures are added to the site and located within 100' to this property line.

Buffer Type S5 and B shall be as stated in the ZLDR and enclosed in Appendix C  
Maximum buildings coverage for the 9.2 acres shall be no greater than 40%.  
The maximum building height is restricted to 35' (excluding an elevated water storage tank)

The side building setback is set at 15' in order to keep the initial development within the existing, cleared, open field as much as possible. If the building were setback further from the property line, additional trees would need to be removed. This would also increase the visibility of the building from the existing ball fields and Maybank Highway as you travel towards James Island. In addition, some of the trees that would be required to come down would be grand trees and would require additional variances. The number of grand trees to be removed has been limited to the best extent possible. This is the reason for a small side setback to the single family residential parcel. A privacy fence has already been erected along this property line.

The elevated storage tank shall be designed to meet the current standards and design codes set forth by the American Water Works Association and International Building Code. This includes any wind, seismic and other components associated with the structural integrity of the tank. The tank height shall be limited to a height of 200' above grade. The color of the tank will match other tanks of similar fashion located on John's Island.



## 5. PARKING REQUIREMENTS

Parking requirements will be typical for a general office or professional building:

Office Space: One (1) Space per 300 square foot of office space, plus one (1) spot for each company vehicle stored on-site. All company trucks will be kept in the proposed garage area. The new building will be constructed such that if the need for additional truck storage should be required, an addition will be added for more truck parking area.

Accessible parking for physically disabled persons will be provided in accordance with ADA Standards for Accessible Design.

Pedestrian access shall be provided within the development for employee access between buildings. There is currently no sidewalk along Maybank Highway in this location, when a sidewalk is constructed by another entity, SJWC will construct pedestrian access to this sidewalk.

All recreational parking for the existing ball fields will be contained on-site.

## 6. TRAFFIC GENERATION

Traffic into the site is mainly due to employees arriving and leaving during normal working hours. There is traffic based on customer services to the walk up counter or drive through, however this traffic is minimal. There are also service vehicles leaving and returning at various times of the day as required to maintain and inspect the water system. Traffic enters and exits the site via five (5) existing curb cuts to Maybank Highway. There are no proposed changes to the curb cuts in the initial phase of the project.

SJWC currently has 15 employees, and based on the Institute of Transportation Engineers Trip Generation, 7th Edition, the average trip generation is approximately 50 trips per day. If SJWC increases staff by approximately 65% to 25 employees in the future, the daily trip generation will increase to approximately 83 daily trips. This does not exceed 100 peak hour trips.

Properties immediately adjacent to SJWC are zoned residential. In an effort to reduce the number of curb cut along Maybank Road, SJWC is willing to discuss sharing driveway curb cut with these land owners if the uses were to change from



residential to commercial in an effort to reduce the number of curb cuts along Maybank Highway.

## **7. TREE PROTECTION AND REMOVAL**

In an effort to maintain the natural character of John's Island, the site will try to maintain as many trees as practically possible when future expansions are proposed. Tree protection and removal will be in as stated in the ZLDR and enclosed in Appendix C. Grand trees removed will require a variance from the County Board of Zoning Appeals (BZA).

## **8. SIGNS**

SJWC currently has existing signage that will remain in place. There are no new signs initially proposed. Any new signage will adhere to the guidelines set forth in the ZLDR. Including the requirements set forth within the Maybank Overlay district enclosed in Appendix C.

Free standing signs shall be monumental or pedestal type.

Maximum Sign Face Area: 40 square feet

Maximum Sign Height: 10 feet

Internal illumination allowed and constructed with routed letters and/or an opaque background.

## **9. SITE LIGHTING**

It is intended that the lighting in this development will be provided for safety and security. All site lighting will meet ZLDR requirements.

## **10. ARCHITECTURAL GUIDELINES**

The buildings will be in keeping with the vernacular character of rural Johns Island. Structures within this development will reflect the honest quality of the local building style in both form and materials.

The architectural precedents for this development exist in the simple outbuildings and sheds that have stood along Maybank Highway for generations. The exterior building materials for all new structures will consist of hi-ribbed corrugated coated metal commercial sheeting (not bare metal), painted wood, or painted block work.





Additionally, other exterior building materials may be allowed with Planning Staff Approval.

The buildings shall conform to Chapter 9.6 of the ZLDR. Long, monotonous facade design shall be allowed.

## **11. GENERAL GUIDELINES**

The Charleston County Zoning and Land Development Regulations Ordinance shall apply to all areas of this development where not covered by these regulations and guidelines.

The Development will proceed in accordance with the provisions of the Zoning and Land Development Regulations, applicable provisions of the Charleston County Comprehensive Plan, and with such conditions as may be attached to any rezoning to the applicable PD district.

Variances to this Ordinance shall not be allowed and all major changes to the planned development must be approved by County Council. Tree variances may be granted in accordance with this Article and all other sections of this Ordinance.

**Appendix A**  
**Letters of Approval & Proof of Coordination**

**St. Johns Water Company - Water**  
**SCDHEC – Sewer**  
**St. Johns Fire District**  
**Community Meeting Invitation Letter**

**ST. JOHN'S WATER COMPANY, INC.**

Post Office Box 629  
John's Island, South Carolina 29457-0629  
Phone (843) 559-0186  
Fax (843) 559-0371

Board Members

Julia H. Grant, Chair  
Thomas Legare, Jr., Vice Chair  
Albert Thompson, Jr., Sec/Treas  
Samuel D. Brownlee  
Ronald Coleman  
Becky J. Dennis  
Cindy M. Floyd  
Joseph W. Hail  
Robert M. Lee

December 3, 2009

Mr. Josh Lilly  
B P Barber & Associates  
4016 Salt Pointe Parkway  
N. Charleston, SC 29405


Re: TMS Number 279-00-00-037 & 038  
Proof of Coordination Letter

Dear Mr. Lilly:

This letter is to confirm that TMS numbers 279-00-00-037 & 038 on Johns Island are within the water service area of the St. John's Water Company, Inc. (SJWC). We have reviewed the Planned Development for the aforementioned TMS numbers and find it to be acceptable. SJWC does have water available from an existing 6-inch water line located on Maybank Highway for the needed water service to TMS numbers 279-00-00-037 & 038 as per the Planned Development. Our system is SC DHEC approved and we have the capacity and willingness to provide potable water service to TMS numbers 279-00-00-037 & 038. Please consider this letter as proof of coordination.

If you have any questions, please feel free to give me a call.

Sincerely,



Colleen Schild  
Assistant Manager/Engineer

## Josh Lilly

---

**From:** Richard Threatt [threatrl@dhec.sc.gov]  
**Sent:** Friday, December 11, 2009 2:04 PM  
**To:** Josh Lilly  
**Subject:** Re: St. John's Water Company O&M Building

Josh,

Our office is aware of your planned development of the property listed below. Once you are ready to proceed with the permitting process it will be necessary for you to submit an application to our office, so that we can evaluate the site for the possibility of issuing a permit for an onsite wastewater system for the new building. If public sewer becomes available to the property prior to the onsite wastewater permit being issued or installed, connection to public sewer will be required.

Richard L. Threatt, Jr.  
Region 7 Onsite Wastewater Supervisor  
[threatrl@dhec.sc.gov](mailto:threatrl@dhec.sc.gov)  
Telephone: 843-202-7020  
Fax: 843-202-7050

>>> Josh Lilly <[jlilly@BPBarber.com](mailto:jlilly@BPBarber.com)> Friday, December 11, 2009 10:53 AM >>>  
Richard,

Due to the recent and future development of John's Island, SJWC is forced to increase their operations and improve the facilities they have in order to provide the level of service their customers deserve and are accustomed to. Initially, SJWC is proposing to construct an Operations and Maintenance facility which could include such features as storage space, a workshop area, meeting room, and office space. In this initial phase a truck storage building is also proposed in order to provide protection for their vehicles. This initial work will take place within the year of 2010.

For all of this work to comply with Zoning, a Planned Development is required and in the process of getting approved. We need from you a coordination letter stating that we've talked about the project and that you are in general agreement with the plan.

The current building is serviced by an existing system located under the baseball field. The new building will have its own separate system with a location to be determined. The flow to this new system will be small. The new building will have two bathrooms with showers and will be used mostly by field employees. There will be a small meeting/training room in this building. During meetings there could be up to 15 people in the building.

TMS# 279-00-00-037 & 038

If you should have any further questions or concerns please do not hesitate to contact me here at the office.

Thank you in advance for your time.

Joshua Lilly, P.E.  
Project Engineer I  
BP Barber  
Mailing Address: 4016 Salt Pointe Parkway, Suite 200, N. Charleston, SC 29405  
Phone: (843) 767-4602; Fax: (843) 767-4723  
[www.bpbarber.com](http://www.bpbarber.com)<<http://www.bpbarber.com>>

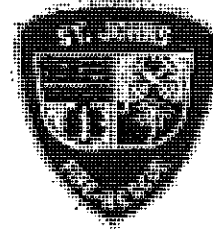
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Think Green. Print Responsibly.

**ST. JOHN'S FIRE DISTRICT**

P.O. BOX 56  
JOHNS ISLAND, S.C. 29457  
PHONE: (843) 559-9194  
FAX: (843) 559-3687



KARL E. RISTOW, Fire Chief

**COMMISSIONERS:**

J. BARRY ILART, Chairman  
ERIC P. BRITTON, Vice-Chairman  
THOMAS KULICK  
SAMUEL BROWNLEE  
WANDA FORD  
SUSANNE HOLLOMAN  
GENEVA SMITH

5 January 2010

Ms. Andrea Pietras  
AICP  
Charleston County Planning Department  
4045 Bridge View Drive  
North Charleston, SC 29405

Re: Letter of Coordination

Dear Ms. Pietras:

Thank you for giving St. Johns Fire District the opportunity to serve you. We have reviewed the information provided regarding the proposed construction project at 3362 Maybank Hwy., St. Johns Water Company and are aware that the owner intends to construct a new warehouse/administrative building on the property. However, before construction begins the owner needs to submit a complete copy of the architectural drawings for the facility for review to ensure that the district can provide adequate fire protection coverage to the facility prior to construction.

If you require any additional assistance regarding this issue or any further explanation regarding this issue, please contact the St. Johns Fire Prevention Division.

Sincerely,

A handwritten signature in black ink, appearing to read "C. W. Watlington".

C. W. Watlington  
Chief Fire Inspector

c.c. Karl E. Ristow  
Chief of Department

**ST. JOHN'S WATER COMPANY, INC.**

Post Office Box 629  
John's Island, South Carolina 29457-0629  
Phone (843) 559-0186  
Fax (843) 559-0371

Board Members

Julia H. Grant, Chair  
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Albert Thompson, Jr., Sec/Treas  
Samuel D. Brownlee  
Ronald Coleman  
Becky J. Dennis  
Cindy M. Floyd  
Joseph W. Hall  
Robert M. Lee

December 30, 2009

Member's Name  
Address

**NOTICE OF COMMUNITY MEETING**

**PLANNED DEVELOPMENT FOR THE ST. JOHN'S WATER COMPANY  
OFFICE PROPERTIES ON MAYBANK HIGHWAY**

Dear Resident:

St. John's Water Company is combining the existing office property at 3362 Maybank Highway (TMS number 279-00-00-038) with the adjacent property at TMS 279-00-00-037 into one parcel in order to construct a new operations and maintenance building. As part of the permitting process, we are required to change our existing planned development to incorporate the entire property into a new planned development. The current property uses of the lighted ball field and office building will remain.

We are holding a public drop-in meeting in order to give any interested residents an opportunity to become acquainted with the planned development and to give an opportunity to voice any comments. You are welcome to join us for the following community meeting:

**Wednesday, January 27, 2010  
Drop-in 5:30 pm to 7:00 pm  
at  
Berkeley Electric Cooperative  
3351 Maybank Highway**

Sincerely,

Julia H. Grant  
Board of Directors; President

# **Appendix B**

## **Site Plan and Parcel Sketches**

**Existing/Recorded Plats**

**Recorded Deeds**

**Tree Survey**

**Existing Conditions Site Plan**

**Proposed Preliminary Sketch Plan**

**Aerial Plan with Proposed Sketch Plan**

**Preliminary Landscaping Plan**

**Preliminary Architectural Elevations**

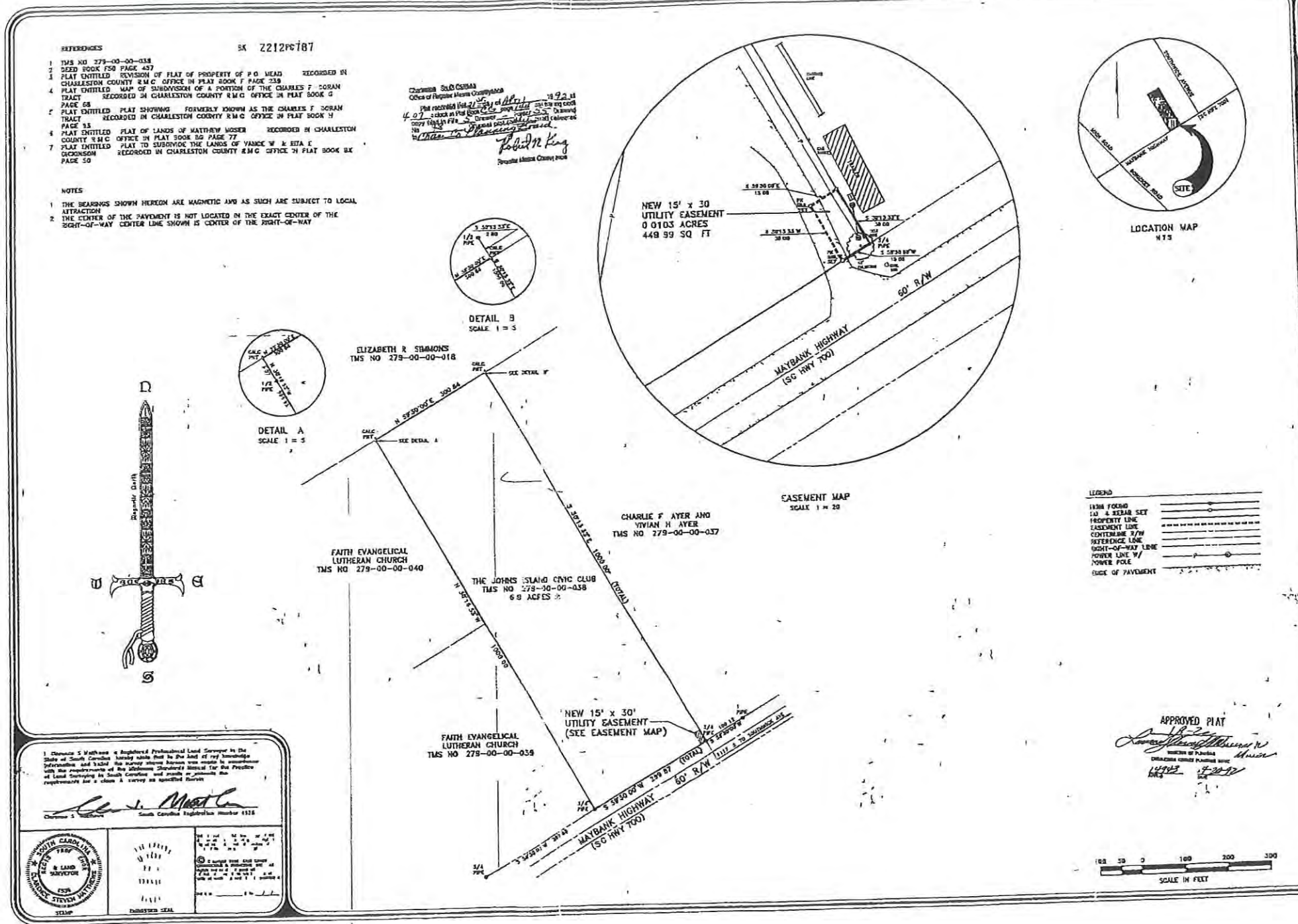
**Wetland Survey**

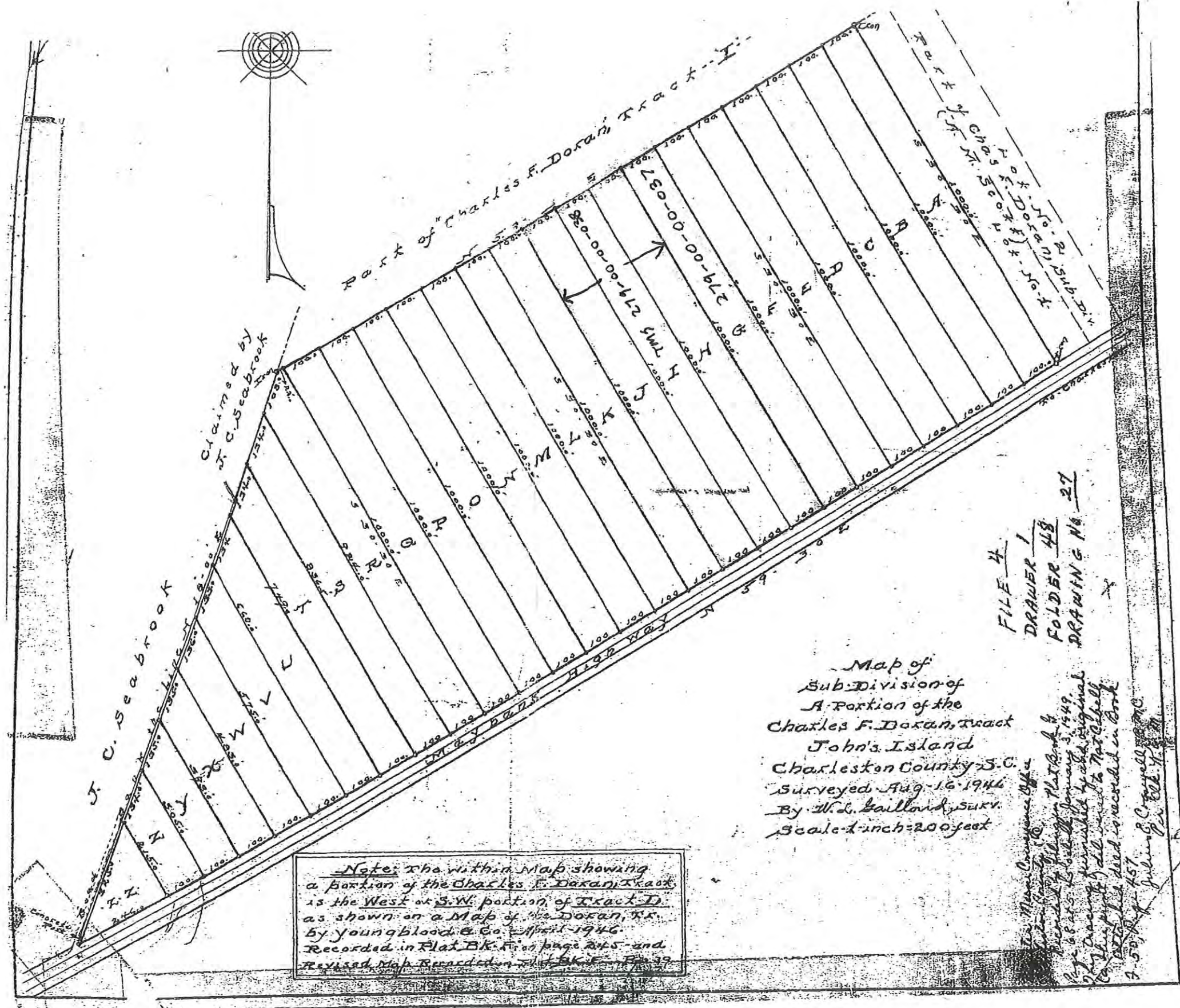
**Preliminary Water Tank Exhibit**

\*The following Architectural elevations are being shown as examples of what The St. Johns Water Company envisions the buildings to emulate. Dimensions, details and accessories shown on these plans may not be what is actually proposed, however the overall vernacular character is accurately represented.



http://imgweb.charlestoncounty.org/AppNet/controlsupport/print.aspx?id=de3f00ad-2bcb-... 6/11/2009





*Note: The within Map showing a portion of the Charles F. Doran Tract is the West or S.W. portion of Tract D as shown on a Map of the Doran Tr. by Youngblood & Co. April 1946. Recorded in Plat. Bk. F. on page 205 and Revised Map Recorded in Plat. Bk. F. on page 29.*

*Map of  
Sub-Division of  
A Portion of the  
Charles F. Doran Tract  
John's Island  
Charleston County S.C.  
Surveyed Aug. 16, 1946  
By W. L. Bailland, SURV.  
Scale 1-inch = 200 feet*

*FILE 4  
DRAWER 1  
FOLDER 48  
DRAWING No. 27*

*In Map Company Office  
Prepared by W. L. Bailland, Plat. Book 4  
Page 205. Subd. by Youngblood & Co. 1946.  
Original drawing furnished by said original  
surveyor. All used to this date fully  
checked and recorded in Book  
9-50, p. 457  
J. C. Seabrook, Charleston, S.C.  
Per 1002, 1003, 1004*

OKF 389PG407

STATE OF SOUTH CAROLINA        )  
   )  
 COUNTY OF CHARLESTON        )     TITLE TO REAL ESTATE

KNOW ALL PERSONS BY THESE PRESENTS, THAT THE JOHNS ISLAND CIVIC CLUB, in the State aforesaid, for and in consideration of FOUR HUNDRED THOUSAND DOLLARS AND NO/100'S (\$400,000.00) before the sealing of these presents to ST. JOHN'S WATER COMPANY, its successors and/or assigns, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said ST. JOHN'S WATER COMPANY, its successors and/or assigns, the following described real property, to wit:

SEE EXHIBIT A

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging or in anywise incident or appertaining.

TO HAVE AND HOLD, all and singular, the said Premises before mentioned unto the said ST. JOHN'S WATER COMPANY, its Successors and/or Assigns in fee simple forever.

AND the Grantee does hereby bind the Grantor and the Grantor's Successors and Assigns, to warrant and forever defend, all and singular, the said Premises unto the said Grantee hereinabove named and the Grantee's Successors and/or Assigns against the Grantor and the Grantor's Successors and/or Assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the hand and seal of this Grantor, this 28<sup>th</sup> day of November in the year of our Lord Two Thousand and One.

BKF 389PG408

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

THE JOHNS ISLAND CIVIC CLUB

*James W. Bond*

*Calvin J. Schuler*  
By: CALVIN J. SCHULER  
Its: President

*Christine M. Byers*

*Emmaguy Anderson*  
By: EMMAGUY ANDERSON  
Its: Secretary

STATE OF SOUTH CAROLINA    )  
  )    PROBATE  
COUNTY OF CHARLESTON    )

Personally appeared before me the undersigned witness who being duly sworn, did depose and say that (s)he saw the within named Grantor sign, seal and, as its act and deed, deliver the within written Deed, and that (s)he with the other subscribing witness witnessed the execution thereof.

*Christine M. Byers*

Sworn to before me this 28<sup>th</sup> day of November, 2001.

*James W. Bond*  
Notary Public for South Carolina  
My Commission Expires: 10-11-2009

BK F 389PG409

## EXHIBIT A

ALL those three lots, pieces or parcels of land, situate, lying and being the north side of the Maybank Highway on Johns Island, in the County of Charleston, State of South Carolina known and designated as Lots H, I and J on a map of subdivision of a portion of the Charles F. Doran Tract, Johns Island, Charleston County, SC surveyed August 16, 1946, by W.L. Gaillard, Surveyor, and recorded in Plat Book G, page 68, RMC Office for Charleston County.

For a more recent description of the said properties reference is craved to a plat prepared by Clarence S. Matthews dated April 3, 1992, and recorded April 21, 1992, in Plat Book CG, page 144, RMC Office for Charleston County.

SAID lots having such size, shape, dimensions, buttings and boundings as will appear by reference to said plats and said plats are made a part and parcel of this description by reference hereto.

AS TO LOTS H AND I -- Being the same property conveyed to the grantor herein by deed of the County of Charleston dated and recorded January 3, 1949, in Book F-50, page 457, RMC Office for Charleston County.

AS TO LOT J -- Being the same property conveyed to the grantor herein by deed of DeWitt W. King dated March 7, 1952, recorded March 8, 1952, in Book A-55, page 535, RMC Office for Charleston County.

TMS #279-00-00-038

Grantee's Address: P.O. Box 629  
Johns Island, SC 29457

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

389PG 410  
AFFIDAVIT

Date of Transfer of Title  
Closing Date November 28, 2001

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.  
The property is being transferred by The Johns Island Civic Club to The St. John's Water Company on November 28, 2001.
3. Check one of the following: The Deed is
  - (a)  subject to the deed and recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - (b)  subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
  - (c)  EXEMPT from the deed recording fee because (exemption # 1). (Explanation, if required.)
 (If exempt, please skip items 4-6, and go to item 7 of this affidavit.)
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
  - (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$400,000.00.
  - (b)  The fee is computed on the fair market value of the realty which is \$\_\_\_\_\_.
  - (c)  The fee is computed on the fair market value of the realty as established for property tax purposes which is \$\_\_\_\_\_.
5. Check YES  or NO  to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES," the amount of the outstanding balance of this lien or encumbrance is \$NOT APPLICABLE.
6. The DEED Recording Fee is computed as follows:
  - (a) \$400,000.00 the amount listed in item 4 above
  - (b) 0.00 the amount listed in item 5 above (no amount place zero)
  - (c) \$400,000.00 Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: GRANTOR/GRANTEE/LEGAL REPRESENTATIVE
8. Check if Property other than Real Property is being transferred on this Deed.
  - (A)  Mobile Home
  - (B)  Other
9. DEED OF DISTRIBUTION-ATTORNEY'S AFFIDAVIT: Estate of \_\_\_\_\_ deceased CASE NUMBER \_\_\_\_\_. Personally appeared before me the undersigned attorney who, being duly sworn, certified that (s)he is licensed to practice law in the State of South Carolina; that (s)he has prepared the Deed of Distribution for the Personal Representative in the Estate of \_\_\_\_\_ deceased and that the grantee(s) are therein are correct and conform to the estate file for the above named decedent.
10. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Sworn to before me this 28<sup>th</sup> day of November, 2001  
*[Signature]*  
Notary Public for South Carolina  
My Commission Expires: 3/22/09

*[Signature]*  
Grantor/Grantee/Legal Representative

**RECORDER'S PAGE**

This page **MUST** remain with the original document.



BKF 389PG411

Recording Fee 10.00

State Fee 1040.00

County Fee 440.00

Postage \_\_\_\_\_

TOTAL 1490.00  
c

LEGARE, HARE & SMITH  
P. O. BOX 578  
CHARLESTON, S. C. 29402

*Handwritten initials*

FILED

F389-407

2001 NOV 30 PM 1:04

CHARLES LYBRAND  
REGISTER  
CHARLESTON COUNTY SC

TMS VERIFIED  
BAC LMG  
DTOL 4-01

RECEIVED FROM RMC  
DEC 4 2001  
PEGGY A. MOSELEY  
CHARLESTON COUNTY AUDITOR

BK U308PG347

STATE OF SOUTH CAROLINA )  
 ) TITLE TO REAL ESTATE  
 COUNTY OF CHARLESTON )

KNOW ALL MEN BY THESE PRESENTS, THAT WE, CHARLES H. AYER, TRUSTEE C.F. AYER TRUST and VIVIAN H. AYER, in the State aforesaid, for/and in consideration of the sum of ONE HUNDRED TWENTY THOUSAND AND 00/100 (\$120,000.00) DOLLARS to us in hand paid at and before the sealing of these presents by ST. JOHNS WATER COMPANY, INC., in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and release unto the said ST. JOHNS WATER COMPANY, INC., the following described real property:

ALL that lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being on the North side of Maybank Highway on Johns Island, County of Charleston, State of South Carolina, known and designated as Lot G on a plat of a subdivision of a portion of the Charles F. Doran Tract, Johns Island, Charleston County, S.C., surveyed August 16, 1946 by W.L. Gaillard, Surveyor, recorded in Plat Book G, page 68, RMC Office for Charleston County.

MEASURING and containing one hundred (100') foot to the south on Maybank Highway by one thousand (1000') feet in depth on the East and West lines.

TMS #279-00-00-037

BEING the same property conveyed to Charlie F. Ayer and Vivian H. Ayer by deed of Samuel B. King dated July 30, 1954, recorded August 10, 1954, in Book W-58, page 461, RMC Office for Charleston County. The undivided one-half right, title and interest of the said Charlie F. Ayer was conveyed to Charles F. Ayer, Trustee C.F. Ayer Trust by deed of distribution dated January 26, 1998, recorded January 28, 1998, recorded in Book L-296, page 838, RMC Office for Charleston County.

ADDRESS OF GRANTEE: P. O. Box 629  
Johns Island, SC 29455

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.



BK U308PG348

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said ST. JOHNS WATER COMPANY, INC, its successors and assigns forever.

AND we do hereby bind ourselves and our heirs, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said ST. JOHNS WATER COMPANY, INC., its successors heirs and assigns, against us and our heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand(s) and Seal(s) this 11th day of August in the year of our Lord one thousand nine hundred and ninety-eight and in the two hundred and twenty-third year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

CHARLES H. AYER, TRUSTEE  
C.F. AYER TRUST

R. Wayne Owens

Laney Ayer

Mary L. Harigson

Jessie W. Smith

BY: Charles H. Ayer  
Charles H. Ayer, Trustee

Vivian H. Ayer  
VIVIAN H. AYER

\*\*\*

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

I, Laney Ayer, do hereby certify that Charles H. Ayer, Trustee C.F. Ayer Trust personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 11th day of August, 1998.

Laney Ayer (SEAL)  
NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission Expires: September 8, 2007

\*\*\*

BK U308PG349

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
Gaines W. Smith )

I, ~~Marybeth Ayer~~, do hereby certify that Vivian H. Ayer personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 13 day of August, 1998.

*Gaines W. Smith* (SEAL)  
NOTARY PUBLIC FOR SOUTH CAROLINA  
My Commission Expires: 11-28-99

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

AFFIDAVIT

DK U308rc350

PERSONALLY APPEARED before me the undersigned, who being duly sworn, depose and say:

- I have read the information on this Affidavit and I understand such information.
- The property being transferred is located at Lot G, Johns Island, bearing Charleston County Tax Map Number 279-00-00-037 was transferred by Charles H. Ayer, Trustee C.F. Ayer Trust and Vivian B. Ayer to St. Johns Water Company, Inc. on August 12<sup>th</sup>, 1998.
- Check one of the following: The deed is
  - subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
  - subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
  - except from the deed recording fee because (See Information section of Affidavit):  
  
(If exempt, please skip items 4 - 7 and go to item 8 of this Affidavit.)
- Check one of the following if either item 3(a) or item 3(b) has been checked (See Information section of this affidavit):
  - The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$120,000.00
  - The fee is computed on the fair market value of the realty which is \_\_\_\_\_
  - The fee is computed on the fair market value of the realty as established for property tax purposes which is \_\_\_\_\_
- Check Yes  or No  to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remainder on the land, tenement, or realty after the transfer. If "yes", the amount of the outstanding balance of this lien or encumbrance is: \_\_\_\_\_
- The deed recording fee is computed as follows:

(a) Place the amount listed in item 4 above here	\$120,000.00
(b) Place the amount listed in item 5 above here: (If no amount is listed, place zero here.)	\$-0-
(c) Subtract Line 5(b) from Line 5(a) and place result here:	\$120,000.00

- The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is \$444.00.
- As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Witness
- I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Vivian B. Ayer  
Responsible person connected with the transaction

Print or Type Name here

SWORN to before me this  
12 day of August, 1998.

Thomas W. Smith (SEAL)  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES 11-28-99

LEGARE, HARE & SMITH  
P. O. BOX 578  
CHARLESTON, S. C. 29402

NKw-I  
50-

BK U308PG351

FILED

U308-347

98 AUG 13 PM 3:43

CHARLIE LYBRAND  
REGISTER  
CHARLESTON COUNTY SC

Recording Fee	<u>10.00</u>
State Fee	<u>312.00</u>
County Fee	<u>132.00</u>
Postage	<u>          </u>
TOTAL	<u>454.00</u> 4

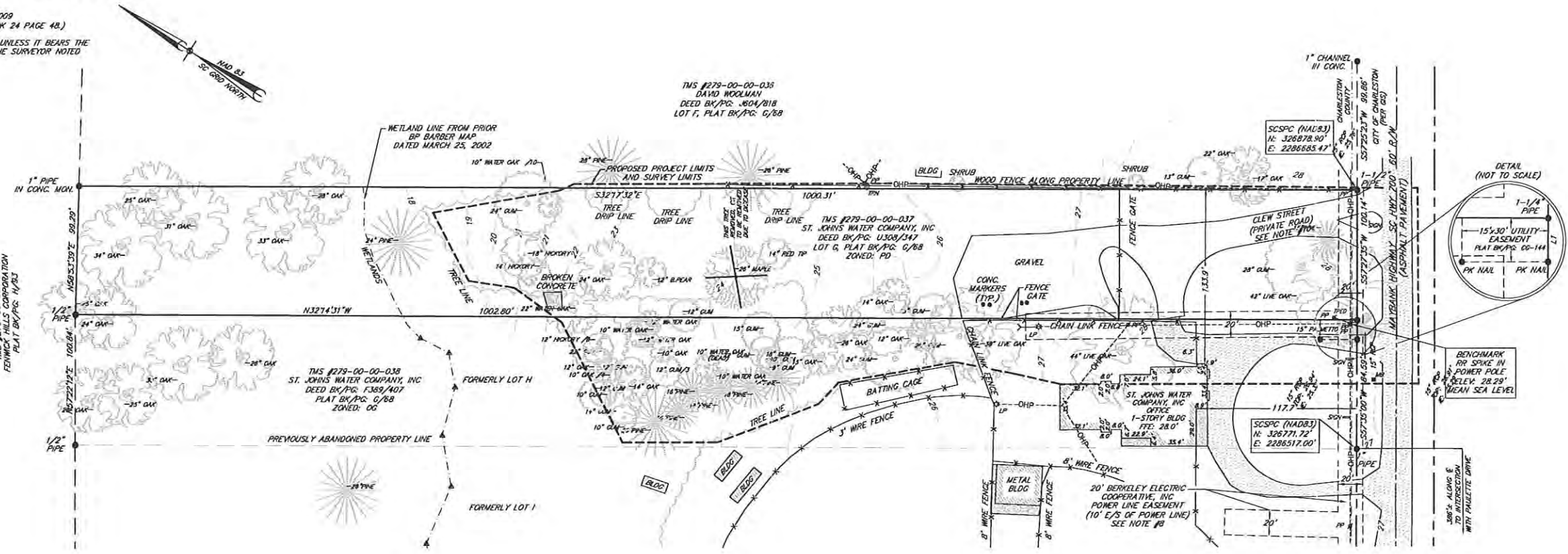
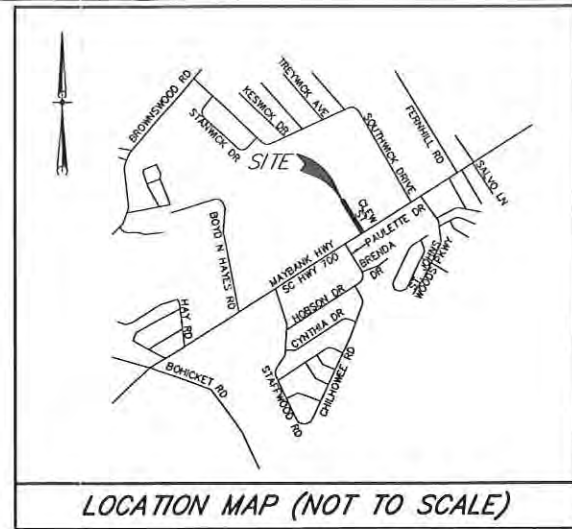
PID VERIFIED	
ASSR	<u>MLJ</u>
DTD	<u>8/14/98</u>

Recorded this 13 day of Aug Year 98  
On Property Record Card  
*Roger A. Mosley*  
Auditor Charleston County

**SURVEYOR'S NOTES:**

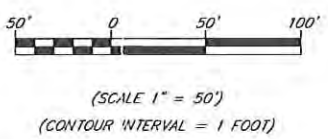
1. NORTH ORIENTATION IS BASED ON SC GRID NAD83, USING SC VRS SYSTEM WITH TOPCON GR-3 RECEIVER.
2. THE VERTICAL DATUM IS NGVD29, BASED ON CONVENTIONAL LEVEL LOOP FROM NGS MONUMENT 10 260 FID CK2537.
3. IMPROVEMENTS AND TREES 8" AND LARGER WITHIN THE PROPOSED PROJECT AREA ARE SHOWN. OTHER TREES AND IMPROVEMENTS DO EXIST AND ARE NOT SHOWN.
4. ANY IMPROVEMENTS AND/OR DATA OUTSIDE OF THE PROJECT AREA ARE FROM PRIOR MAPS AND SUBJECT TO INACCURACIES.
5. ALL PLAT AND DEED REFERENCES NOTED HERE ON ARE FROM THE CHARLESTON COUNTY REGISTER OF MESSE CONVEYANCES, UNLESS NOTED OTHERWISE.
6. THIS PARCEL LIES IN FLOOD ZONE X AS DEPICTED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 45019C06554, WITH AN EFFECTIVE DATE OF NOVEMBER 17, 2004.
7. THE EXISTING ADDRESS OF THIS SITE IS AS FOLLOWS: 3362 MAYBANK HIGHWAY, JOHNS ISLAND SC 29435
8. THE 20' BERKELEY ELECTRIC COOPERATIVE, INC. POWER LINE EASEMENT SHOWN AND SOME IMPROVEMENTS ARE REFERENCED FROM AN UNRECORDED PLAT DATED MARCH 11, 2002, BY BP BARBER. NO RECORDED DOCUMENTATION OF THIS EASEMENT HAS BEEN FOUND BY BP BARBER.
9. LOTS H, I & J ARE CURRENTLY SHOWN AS ONE PARCEL ON THE CHARLESTON COUNTY TAX ROLLS. NO RECORDED COMBINATION PLAT FOUND BY BP BARBER.
10. CLEW STREET IS SHOWN TO BE A PRIVATE ROAD ON CHARLESTON COUNTY GIS MAPS. BP BARBER HAS NOT FOUND ANY EVIDENCE PERTAINING TO THE EXACT LOCATION OF CLEW STREET.
11. NO ENVIRONMENTAL ISSUES ADDRESSED DURING THE PERFORMANCE OF THIS SURVEY.
12. FIELD SURVEY COMPLETED ON NOVEMBER 2, 2009 (SEE FIELD BOOK 23, PAGE 54 AND FIELD BOOK 24 PAGE 48.)
13. THIS IS NOT A TRUE COPY OF THIS DOCUMENT UNLESS IT BEARS THE RAISED EMBOSSED SEAL AND SIGNATURE OF THE SURVEYOR NOTED HEREON.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S57°45'38"W	14.94'



- LEGEND**
- PROPOSED PROJECT AND SURVEY LIMITS
  - BOUNDARY LINE
  - RIGHT-OF-WAY (R/W)
  - ADJOINER PROPERTY LINE
  - CENTERLINE
  - PAVEMENT, GRAVEL OR BUILDING LINE
  - OHP- OVERHEAD POWER
  - EASEMENT LINE
  - MUNICIPAL LINE
  - METLAND LINE
  - x-x-x- FENCE LINE
  - o-o-o- TREE LINE
  - LP LIGHT POLE
  - PP POWER / UTILITY POLE
  - GA GUY ANCHOR
  - TRV TRANSFORMER
  - TPED TELEPHONE PEDESTAL
  - MB MAILBOX
  - REBAR OR PIPE FOUND (SIZE AS NOTED)
  - TREE (SYMBOL VARIES BY SIZE & TYPE)
  - FFE FINISHED FLOOR ELEVATION
  - CONCRETE
  - ASPHALT

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I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO USABLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

F. LEE HONELL, S.C.P.L.S. NO. 9318 SIGNATURE DATE  
 BP BARBER  
 4618 SALT POINTE PKWY, NORTH CHARLESTON, S.C. 29405  
 TELEPHONE: (843) 767-4602

NO.	DESCRIPTION	DATE	BY
1	ADDITIONAL TREES, DRIP LINE & METLANDS	12-23-2009	JK

APPROVALS	PROJECT ENG.	TREASURER BY:	DRAWING BY:	CHECKED BY:	APPROVED:
		JK	JK	FCH	FLH



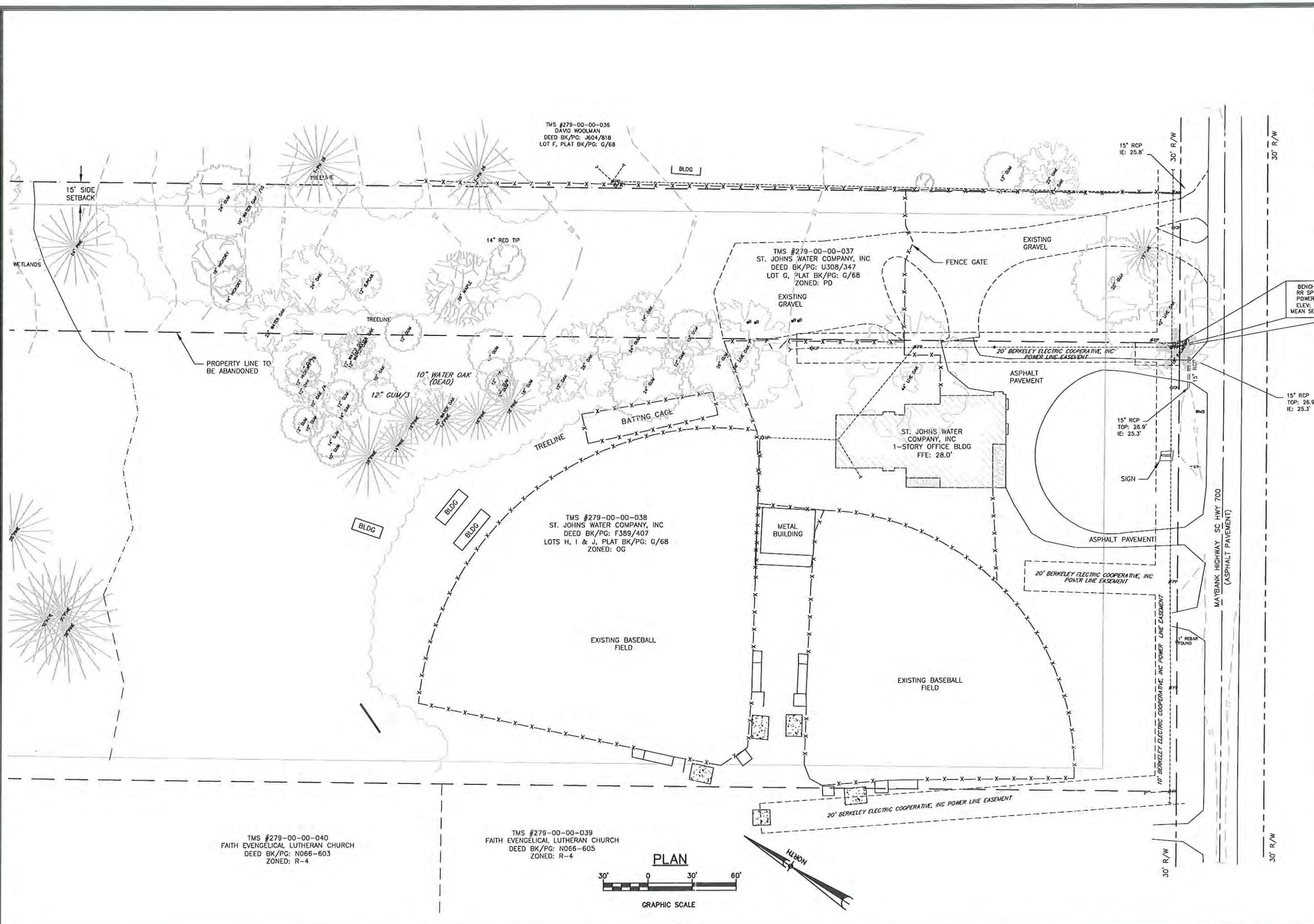
**bpbarber**  
**B.P. Barber**  
 Engineering • Experience • Excellence  
 COLUMBIA • GREENVILLE • CHARLESTON  
 FLORENCE • CHARLOTTE • SAVANNAH

**SHEET TITLE**  
 SITE SURVEY OF LOT G, DESCRIBED IN DEED BOOK U308, PAGE 347  
 LOCATED IN THE COMMUNITY OF JOHNS ISLAND CHARLESTON COUNTY, SOUTH CAROLINA  
 DATE: 12/22/2009 SCALE: 1" = 50'

**PROJECT**  
 ST. JOHN'S WATER COMPANY, INC

DWG. NAME	SHEET
09283-Exp1.dwg	1
N.B. NO. 023-053 024-048	OF
PROJECT NO. 09283	1
FILE NO. C1-SV-080	

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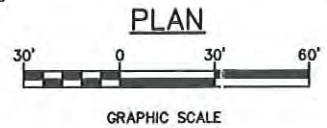
TMS #279-00-00-040  
 FAITH EVANGELICAL LUTHERAN CHURCH  
 DEED BK/PG: N066-603  
 ZONED: R-4

TMS #279-00-00-039  
 FAITH EVANGELICAL LUTHERAN CHURCH  
 DEED BK/PG: N066-605  
 ZONED: R-4

TMS #279-00-00-036  
 DAVID WOOLMAN  
 DEED BK/PG: J604/818  
 LOT F, PLAT BK/PG: G/68

TMS #279-00-00-037  
 ST. JOHN'S WATER COMPANY, INC  
 DEED BK/PG: U308/347  
 LOT G, PLAT BK/PG: G/68  
 ZONED: PD

TMS #279-00-00-038  
 ST. JOHN'S WATER COMPANY, INC  
 DEED BK/PG: F389/407  
 LOTS H, I & J, PLAT BK/PG: G/68  
 ZONED: OG



REVISIONS		
NO.	DESCRIPTION	DATE BY

APPROVALS		
PROJECT ENG.	DESIGNED BY:	DATE
JUL	JUL	



BENCH  
 RR SP  
 POWER  
 ELEV:  
 MEAN SE

**bpb**  
**BP Barber**  
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 COLUMBIA • GREENVILLE • CHARLESTON  
 FLORENCE • CHARLOTTE • SAVANNAH

SHEET TITLE  
**EXISTING CONDITIONS PLAN**  
 DATE: DEC. 2009 SCALE: AS SHOWN

PROJECT  
**OPERATIONS & MAINTENANCE FACILITY FOR ST. JOHN'S WATER COMPANY**  
 CHARLESTON COUNTY SOUTH CAROLINA

OWN NAME	SHEET
N.B. NO.	OF
REF.	XX
PROJECT NO. 09383	
FILE NO. C1-XX-XX	

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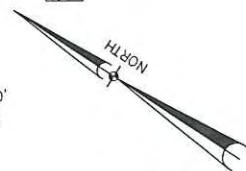
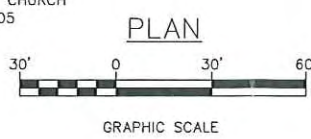
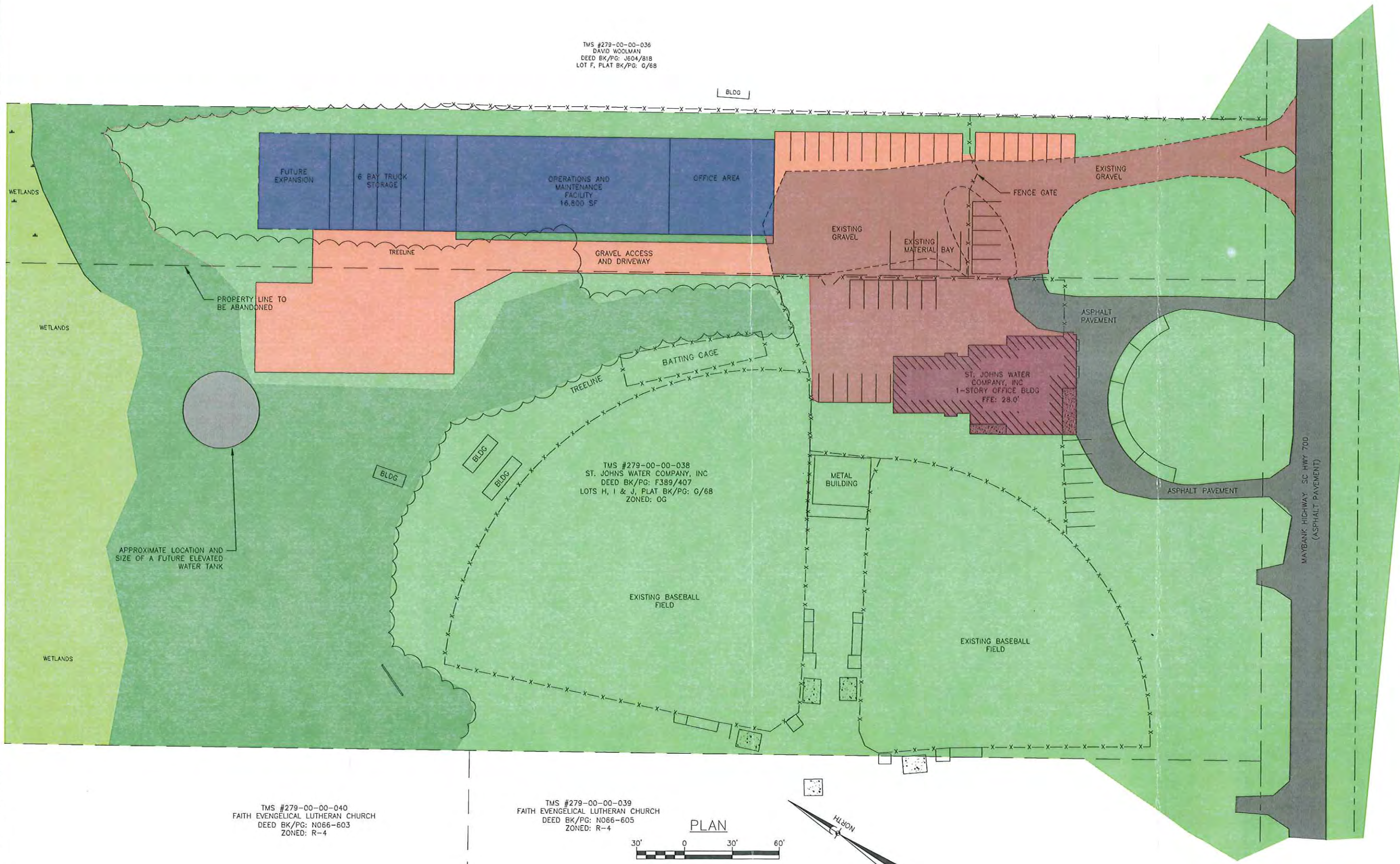
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TMS #279-00-00-036  
DAVID WOOLMAN  
DEED BK/PG: J604/818  
LOT F, PLAT BK/PG: G/68

TMS #279-00-00-038  
ST. JOHN'S WATER COMPANY, INC  
DEED BK/PG: F389/407  
LOTS H, I & J, PLAT BK/PG: G/68  
ZONED: OG

TMS #279-00-00-040  
FAITH EVANGELICAL LUTHERAN CHURCH  
DEED BK/PG: N066-603  
ZONED: R-4

TMS #279-00-00-039  
FAITH EVANGELICAL LUTHERAN CHURCH  
DEED BK/PG: N066-605  
ZONED: R-4



NO.	DESCRIPTION	DATE	BY

PROJECT ENG	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED
JUL	JUL	JUL	FJI	APS



DATE \_\_\_\_\_  
SIGNATURE \_\_\_\_\_

**bpbb**  
**BP Barber**  
Engineering • Experience • Excellence  
COLUMBIA • GREENVILLE • CHARLESTON  
FLORENCE • CHARLOTTE • SAVANNAH

SHEET TITLE: **PRELIMINARY SKETCH PLAN**  
DATE: DEC. 2009 | SCALE: AS SHOWN

PROJECT: **OPERATIONS & MAINTENANCE FACILITY FOR ST. JOHN'S WATER COMPANY**  
CHARLESTON COUNTY SOUTH CAROLINA

LDG NAME	SHEET
N.B. NO.	
REF.	OF
PROJECT NO. <b>09283</b>	
FILE NO.	

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NO.	DESCRIPTION	DATE	BY

APPROVALS
PROJECT ENG: JUL
DESIGNED BY: JUL
DRAWN BY: JUL
CHECKED BY: FJ
APPROVED: APS

B.P. BARBER & ASSOCIATES, INC.  
 No. 00020  
 CERTIFICATE OF  
 PROFESSIONAL ENGINEER  
 STATE OF SOUTH CAROLINA

SIGNATURE \_\_\_\_\_

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 FLORENCE • CHARLOTTE • SAVANNAH

SHEET TITLE  
**PRELIMINARY SITE PLAN**  
 AERIAL  
 DATE: DEC. 2009 SCALE: AS SHOWN

PROJECT  
**OPERATIONS & MAINTENANCE FACILITY FOR ST. JOHN'S WATER COMPANY**  
 CHARLESTON COUNTY SOUTH CAROLINA

PROJECT NO. <b>09383</b>	SHEET <b>XX</b>
DWG NAME	N.B. NO.
REF.	OF

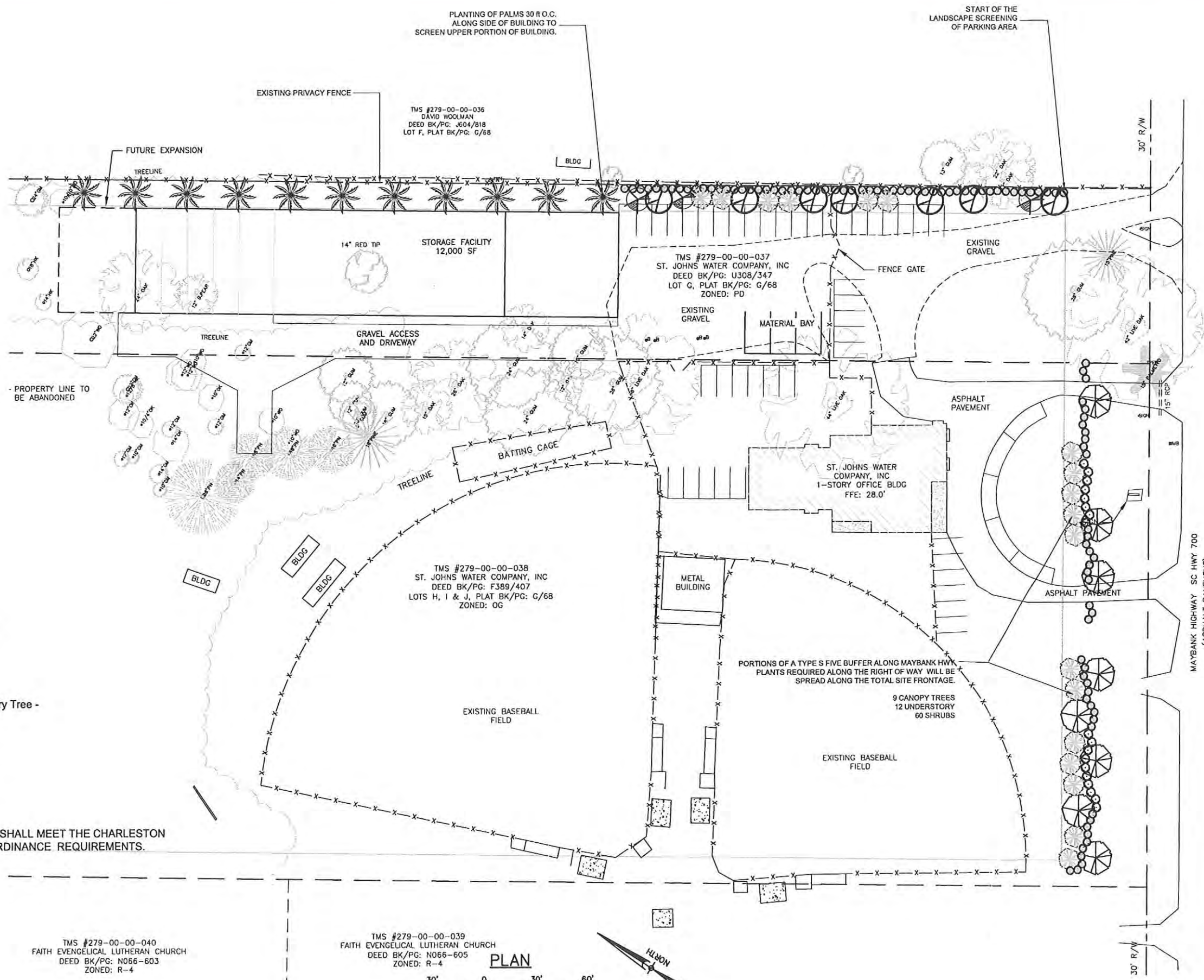
FILE NO. C1-XX-XX



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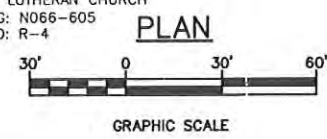
-  Canopy Tree - Oak Species
-  Canopy Tree - Maple Species
-  Canopy Tree - Palm species
-  Understory Tree - Redbud
-  Understory Tree - Crapemyrtle
-  Understory Tree - Dogwood
-  Evergreen Understory Tree - Holly Species
-  Evergreen Understory Tree - Loquat
-  Evergreen Understory Tree - Magnolia
-  Screening Shrubs - Glossy Abelia
-  Screening Shrubs - Japanese Holly
-  Screening Shrubs - Wax Ligustrum

ALL LANDSCAPING SHALL MEET THE CHARLESTON COUNTY ZONING ORDINANCE REQUIREMENTS.



TMS #279-00-00-040  
FAITH EVANGELICAL LUTHERAN CHURCH  
DEED BK/PG: N066-603  
ZONED: R-4

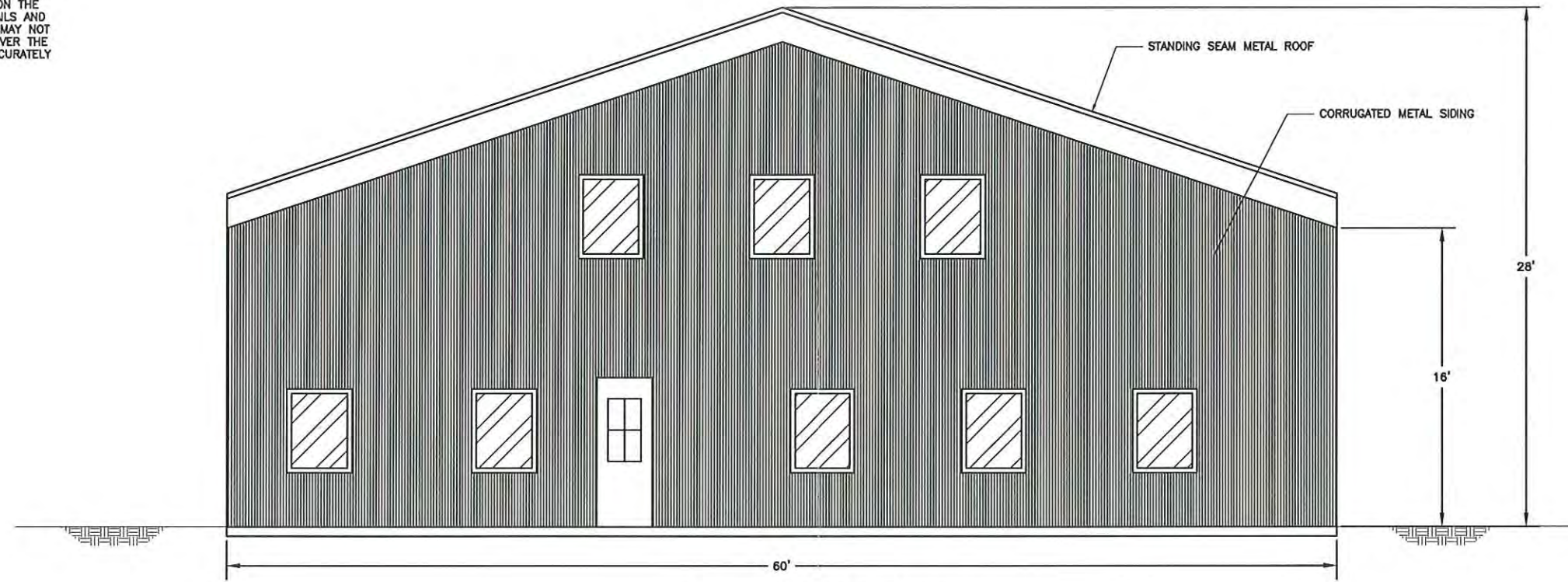
TMS #279-00-00-039  
FAITH EVANGELICAL LUTHERAN CHURCH  
DEED BK/PG: N066-605  
ZONED: R-4



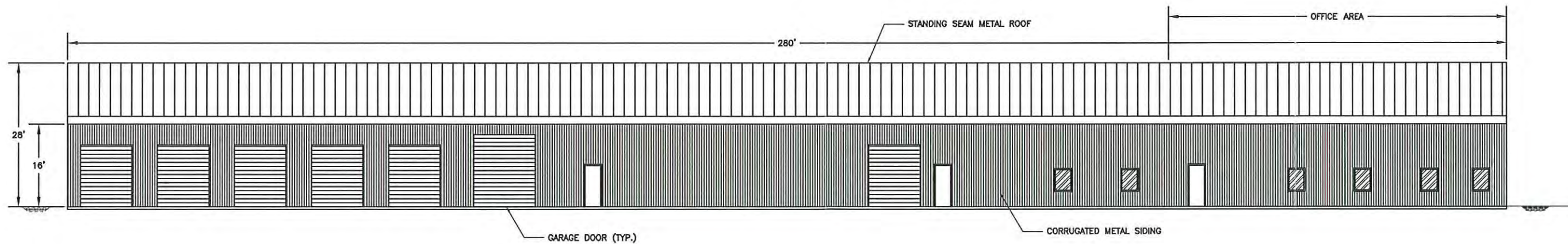
																					
<p>APPROVALS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>PROJECT ENG:</th> <th>DATE</th> </tr> <tr> <td>J.J.L.</td> <td></td> </tr> <tr> <th>DESIGNED BY:</th> <th>DATE</th> </tr> <tr> <td>J.J.L.</td> <td></td> </tr> <tr> <th>DRAWN BY:</th> <th>DATE</th> </tr> <tr> <td>J.J.L.</td> <td></td> </tr> <tr> <th>CHECKED BY:</th> <th>DATE</th> </tr> <tr> <td>F.J.I.</td> <td></td> </tr> <tr> <th>APPROVED:</th> <th>DATE</th> </tr> <tr> <td>APS</td> <td></td> </tr> </table>	PROJECT ENG:	DATE	J.J.L.		DESIGNED BY:	DATE	J.J.L.		DRAWN BY:	DATE	J.J.L.		CHECKED BY:	DATE	F.J.I.		APPROVED:	DATE	APS		<p style="text-align: center;">   <b>BP Barber</b>              Engineering • Experience • Excellence              COLUMBIA • GREENVILLE • CHARLESTON              FLORENCE • CHARLOTTE • SAVANNAH         </p>
PROJECT ENG:	DATE																				
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J.J.L.																					
CHECKED BY:	DATE																				
F.J.I.																					
APPROVED:	DATE																				
APS																					
<p>SHEET TITLE: <b>PRELIMINARY LANDSCAPING PLAN</b></p>																					
<p>DATE: DEC. 2009   SCALE: AS SHOWN</p>																					
<p>PROJECT: <b>OPERATIONS &amp; MAINTENANCE FACILITY FOR ST. JOHN'S WATER COMPANY</b></p>																					
<p>CHARLESTON COUNTY SOUTH CAROLINA</p>																					
<p>DWG NAME</p> <p>N.B. NO.</p> <p>REF.</p> <p>PROJECT NO. 09383</p>	<p>SHEET</p> <p>OF</p> <p style="text-align: center; font-size: 24pt;"><b>XX</b></p> <p>FILE NO. C1-XX-XX</p>																				

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 N:\PROJECTS\09383\DWG\09383-PLAN\12/28/2009 10:24:43 AM

**NOTES:**  
 1. THE ELEVATIONS SHOWN ARE EXAMPLES OF WHAT THE ST. JOHN'S WATER COMPANY ENVISION THE BUILDS TO EMULATE. DIMENSIONS, DETAILS AND ACCESSORIES SHOWN ON THESE PLANS MAY NOT BE WHAT IS ACTUALLY PROPOSED, HOWEVER THE OVERALL VERNACULAR CHARACTER IS ACCURATELY REPRESENTED.



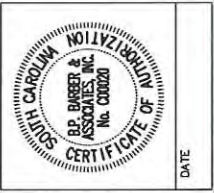
**NORTHWEST ELEVATION**  
 SCALE: 1/4"=1'-0"



**NORTHEAST ELEVATION**  
 SCALE: 3/32"=1'-0"

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	ROOF REVISION	9/11/09	JUL

APPROVALS	PROJECT ENG:	DESIGNED BY:	DRAWN BY:	CHECKED BY:	APPROVED:
	JUL	JUL	JUL	FJI	APS



SIGNATURE  
 DATE


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 COLUMBIA • GREENVILLE • CHARLESTON  
 FLORENCE • CHARLOTTE • SAVANNAH

SHEET TITLE  
 PRELIMINARY BUILDING ELEVATIONS  
 DATE: DEC. 2009 SCALE: AS SHOWN

PROJECT  
 OPERATIONS & MAINTENANCE FACILITY FOR ST. JOHN'S WATER COMPANY  
 CHARLESTON COUNTY SOUTH CAROLINA

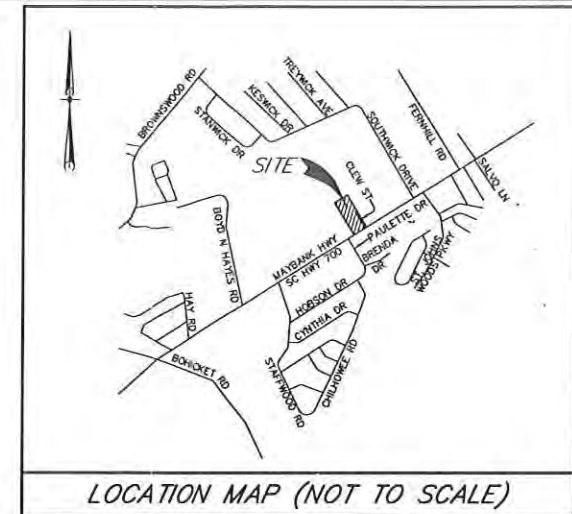
DWG NAME	SHEET
N.B. NO.	GA1
REF.	OF
PROJECT NO.	XX
09383	

FILE NO. C1-XX-XX

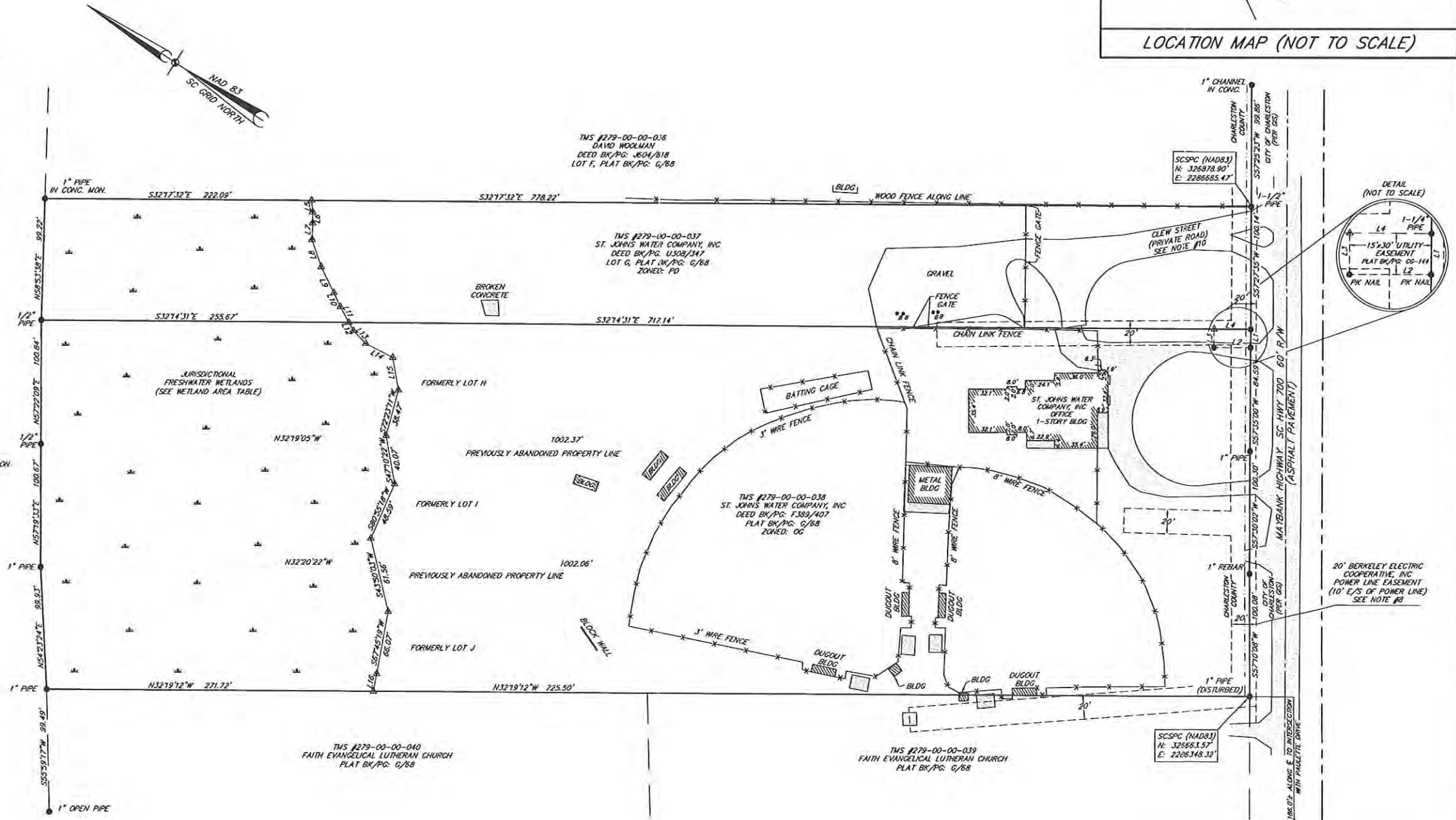
**SURVEYOR'S NOTES:**

- NORTH ORIENTATION IS BASED ON SC GRID NAD83, USING SC VRS SYSTEM WITHIN TOPCON GR-3 RECEIVER.
- THIS PLAT DELINEATES A BOUNDARY SURVEY OF WETLANDS THAT WERE FLAGGED ON THIS SITE BY BP BARBER ON DECEMBER 22, 2009. THIS PLAT IS FOR WETLAND BOUNDARY LOCATION ONLY, AND SHOULD NOT BE USED FOR PROPERTY BOUNDARY LOCATION OF THIS SITE OR ANY OTHER BOUNDARIES OR ADJOINING LOTS. WETLAND AREAS DEPICTED ON THIS PLAT ARE APPROXIMATE, NOT FINAL AND ARE SUBJECT TO CHANGE BY THE U.S. ARMY CORPS OF ENGINEERS.
- TITLE REPORTS NOT SUPPLIED OR ACQUIRED FOR THE PERFORMANCE OF THIS SURVEY. THIS PARCEL IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
- ALL PLAT AND DEED REFERENCES NOTED HERE ON ARE FROM THE CHARLESTON COUNTY REGISTER OF MESSNE CONVEYANCES, UNLESS NOTED OTHERWISE.
- THIS PARCEL LIES IN FLOOD ZONE X AS DEPICTED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 45019006554, WITH AN EFFECTIVE DATE OF NOVEMBER 17, 2004.
- ZONING OF THESE PARCELS IS AS FOLLOWS:  
TMS #279-00-00-037, ZONED: PD (PLANNED DEVELOPMENT)  
TMS #279-00-00-038, ZONED: OG (GENERAL OFFICE)  
ZONING IS SUBJECT TO CHANGE WITHOUT NOTICE AND SHOULD BE VERIFIED PRIOR TO DESIGN.
- THE EXISTING ADDRESS OF THIS SITE IS AS FOLLOWS:  
3362 MAYBANK HIGHWAY, JOHNS ISLAND SC 29455
- THE 20' BERKELEY ELECTRIC COOPERATIVE, INC. POWER LINE EASEMENT SHOWN AND SOME IMPROVEMENTS ARE REFERENCED FROM AN UNRECORDED PLAT DATED MARCH 11, 2002, BY BP BARBER. NO RECORDED DOCUMENTATION OF THIS EASEMENT HAS BEEN FOUND BY BP BARBER.
- LOTS H, I & J ARE CURRENTLY SHOWN AS ONE PARCEL ON THE CHARLESTON COUNTY TAX ROLLS. NO RECORDED COMBINATION PLAT FOUND BY BP BARBER.
- CLEW STREET IS SHOWN TO BE A PRIVATE ROAD ON CHARLESTON COUNTY GIS MAPS. BP BARBER HAS NOT FOUND ANY EVIDENCE PERTAINING TO THE EXACT LOCATION OF CLEW STREET.
- FIELD SURVEY FOR BOUNDARY COMPLETED ON JUNE 15, 2009. FIELD SURVEY FOR WETLANDS COMPLETED ON DECEMBER 22, 2009.
- ALL IMPROVEMENTS NOT SHOWN.
- THIS IS NOT A TRUE COPY OF THIS DOCUMENT UNLESS IT BEARS THE RAISED EMBOSSED SEAL AND SIGNATURE OF THE SURVEYOR NOTED HEREON.

WETLAND AREA TABLE			
PARCEL	JURISDICTIONAL WETLANDS	HIGHLANDS	TOTAL AREA
TMS #279-00-00-037, LOT G	23,192± SQ FT (0.532 AC)	76,658± SQ FT (1.760 AC)	99,850± SQ FT (2.292 AC)
TMS #279-00-00-038 LOTS H, I & J	85,424± SQ FT (1.961 AC)	215,607± SQ FT (4.950 AC)	301,031± SQ FT (6.911 AC)
TOTAL	108,616± SQ FT (2.493 AC)	292,265± SQ FT (6.710 AC)	400,881± SQ FT (9.203 AC)



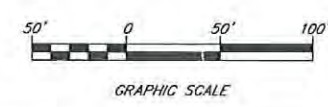
LINE	BEARING	DISTANCE
L1	S57°45'38"W	14.94'
L2	N32°27'21"W	30.01'
L3	N57°47'29"E	15.05'
L4	S32°14'31"E	30.00'
L5	S52°06'35"W	9.57'
L6	S56°47'55"W	9.01'
L7	S59°27'19"W	13.54'
L8	S38°29'21"W	23.52'
L9	S30°44'39"W	23.70'
L10	S32°13'54"W	12.55'
L11	S29°04'42"W	14.55'
L12	S28°11'34"W	7.76'
L13	S13°05'27"W	14.59'
L14	S5°58'42"E	25.02'
L15	S47°10'09"W	27.05'
L16	S67°45'19"W	66.07'



**LEGEND**

- PROPERTY LINE
- RIGHT-OF-WAY (R/W)
- PREVIOUSLY ABANDONED PROPERTY LINE
- MUNICIPAL LINE
- ADJONER PROPERTY LINE
- CENTERLINE
- EDGE OF PAVEMENT
- EASEMENT LINE
- FENCE LINE
- WETLAND LINE WITH FLAGS
- REBAR OR PIPE FOUND (SIZE AS NOTED)
- REBAR SET (5/8" UNLESS OTHERWISE NOTED)
- COMPUTED POINT (NO MONUMENT SET)
- BOLLARD

**COPYRIGHT NOTICE**  
THIS DRAWING IS THE PROPERTY OF BP BARBER AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

F. LEE HOWELL, S.C.P.L.S. NO. 9316 SIGNATURE DATE  
BP BARBER  
1016 SALT PONTIE PKWY. NORTH CHARLESTON, S.C. 29405  
TELEPHONE: (843) 767-4602

NO.	REVISION	DESCRIPTION	DATE	BY

APPROVALS  
PROJECT ENG. DESIGNED BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]

DESIGNED BY: [Signature]  
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APPROVED BY: [Signature]

**bpb**  
**BP Barber**  
Engineering • Experience • Excellence  
COLUMBIA • GREENVILLE • CHARLESTON  
FLORENCE • CHARLOTTE • SAVANNAH

WETLANDS MAP OF LOT G DESCRIBED IN DEED BOOK 0008, PAGE 347 AND LOT G, PAGE 68 AND LOTS H, I & J, PAGE 407 DESCRIBED IN DEED BOOK 00-141, PAGE 68 LOCATED IN THE COMMUNITY OF JOHNS ISLAND CHARLESTON COUNTY, SOUTH CAROLINA  
DATE: 1-4-10 SCALE: 1" = 50'

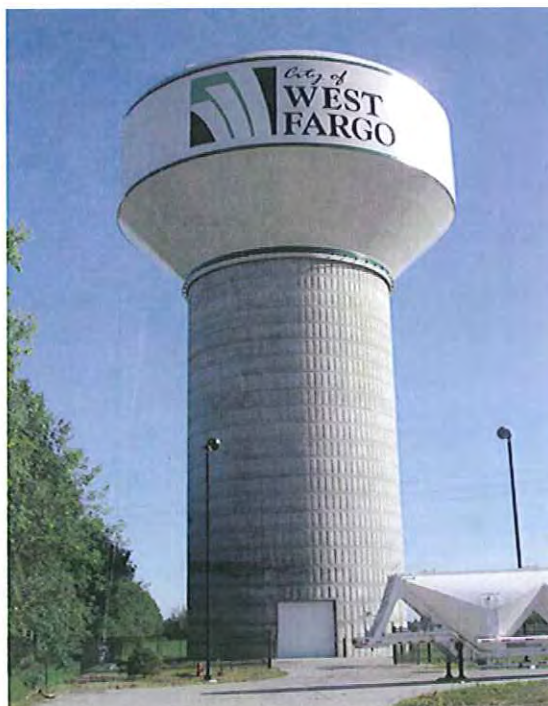
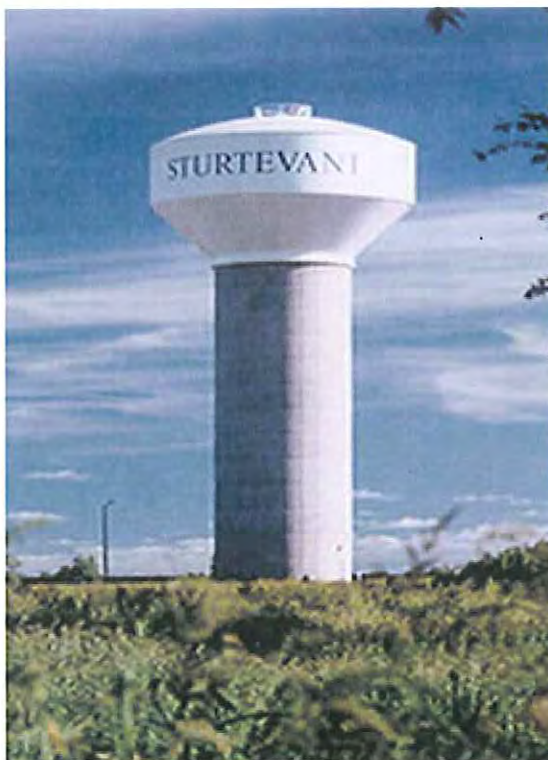
ST. JOHN'S WATER COMPANY, INC.

DWG. NAME 02283-Wetland.dwg	SHEET 1
N.B. NO. 023-053	OF 1
PROJECT NO. 09283	
FILE NO. <b>CT-SV-080</b>	

**The following exhibits are to show the different variety of water tanks that are available for the site. There is currently not a need for a water storage tank, however in the future if that need should arise, the following examples are possible tanks that could be proposed. The tank options for the site are not limited to the following examples. The choice of the type of water tank will be made by the St. John Water Company.**

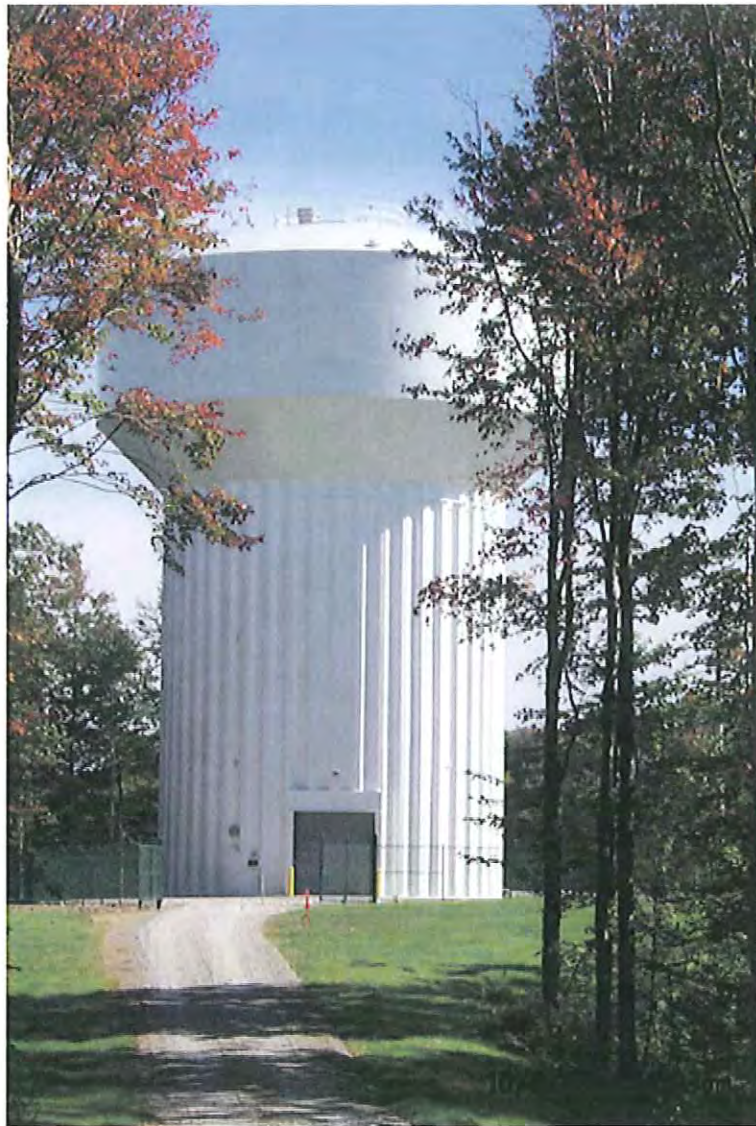


## COMPOSITE ELEVATED WATER TANK





## HYDROPILLAR ELEVATED WATER TANK



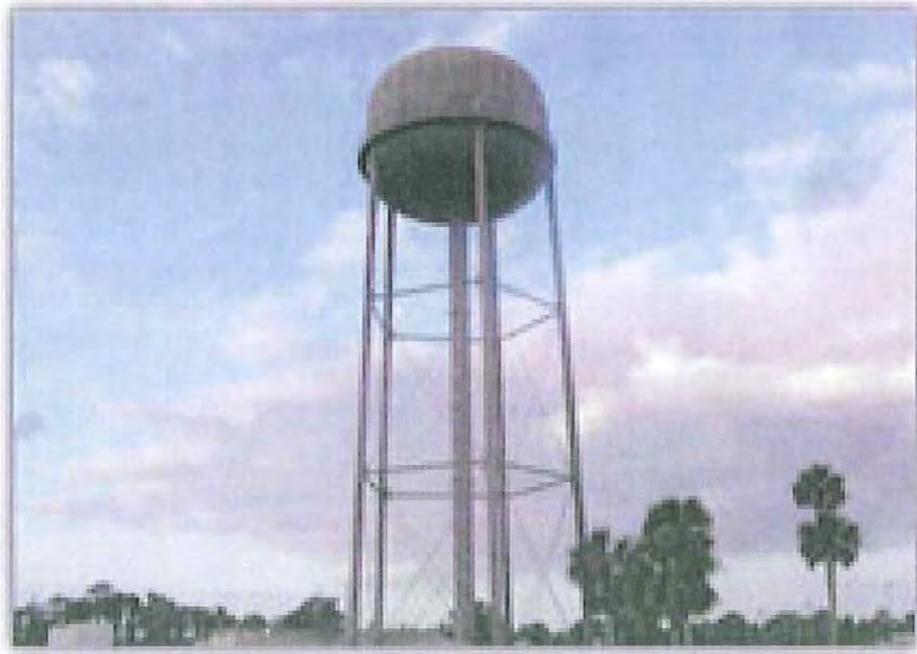


## GROUND STORAGE WATER TANK





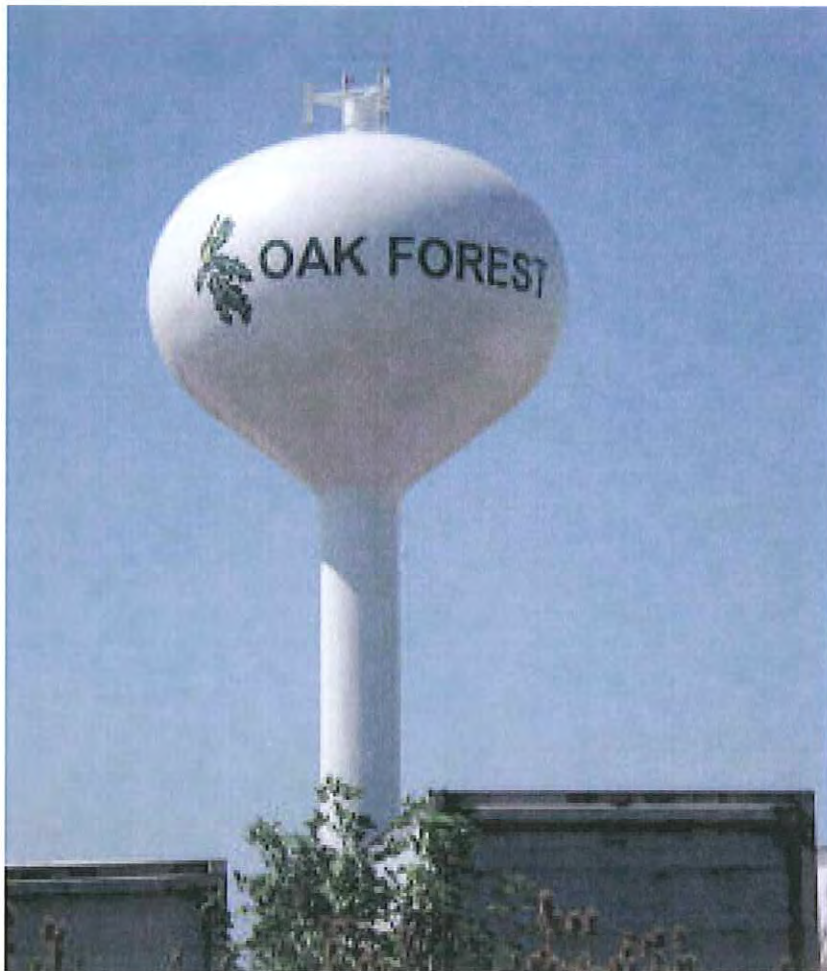
## STEEL MULTI-LEGGED ELEVATED WATER TANK







## WATERSHEROID ELEVATED WATER TANK



## **Appendix C**

# **Ordinances from the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)**

**Chapter 5, Article 5.4**

**Chapter 9**

the existing use that is more intense or increases by 25 percent or more of the use shall be subject to all provisions contained within this Article.

## **ARTICLE 5.4 MHC-O, MAYBANK HIGHWAY CORRIDOR OVERLAY DISTRICT**

### **§5.4.1 STATEMENT OF FINDINGS**

The MHC-O, Maybank Highway Corridor Overlay district, is one of the gateways to John's Island. This corridor also acts as one of the main thoroughfares for destinations such as Kiawah Island, Seabrook Island, and Wadmalaw Island and, consequently, carries a high volume of vehicles each day. Moreover, some of the properties within this corridor are located within the jurisdictional limits of the City of Charleston, while some are located within unincorporated Charleston County. The MHC-O district was adopted to implement traffic safety measures, to improve the visual character of the corridor, and to create consistency between the County of Charleston and the City of Charleston concerning land development regulations.

### **§5.4.2 PURPOSE**

The purpose of the MHC-O, Maybank Highway Corridor Overlay district, is to create a commercial corridor that is well-planned and attractive through the implementation of traffic safety measures and consistent design standards.

### **§5.4.3 EFFECT OF OVERLAY DISTRICT**

The MHC-O, Maybank Highway Corridor Overlay district regulations of this Article apply in addition to the underlying (base) zoning district regulations to impose different development rules for properties within the MHC-O district. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control. Where no special Maybank Highway Corridor regulation is stated in this Article, the regulations of the underlying base zoning and all other applicable provisions of this Ordinance shall apply.

### **§5.4.4 APPLICABILITY**

The standards of this Article shall apply to all development within the MHC-O district except single family residential.

### **§5.4.5 CURB CUTS**

- A. All parcels in this overlay are allowed one curb cut per 250 feet of road frontage, with the exception of single family detached residentially zoned parcels and parcels containing single family detached residential uses. Each parcel involved in a shared access agreement shall be allowed an increase in building cover up to a maximum of forty percent (40%) of the lot.
- B. The applicant must request a shared access with the adjacent property if frontage is less than 250 feet and the adjacent property does not contain a single family detached residential zoning district or a single family detached residential use. If the owner of the adjacent parcel does not agree to share access, the applicant shall provide one (1) of the following to the Planning Department:
  1. A letter from the adjacent property owner denying access; or
  2. If the adjacent property owner refuses to provide a letter, an affidavit that

documents attempts that the applicant made to request shared access and that the neighboring property owner refused to provide a letter.

- C. If subsection B applies, a curb cut is permitted on the subject parcel only with a recorded agreement that the property owner will allow adjacent properties to share access when developed or when rezoned, unless:
  - 1. The applicant provides a traffic impact study that complies with Article 9.9 of this Ordinance; and
  - 2. The approving agency finds that:
    - a. The shared access requirement will not create more efficient traffic circulation patterns due to unique site configuration or topographical conditions; or
    - b. The shared access requirement is not proportionate to the increased traffic or change in circulation patterns created by the proposed development.
- D. Shared access should be located along a common property boundary.

**§5.4.6 BUFFERS**

**A. Right-of-Way Buffers**

Buffers are required in accordance with the requirements of the Landscape Buffers Section contained in Chapter 9 of this Ordinance.

**B. Other Buffers**

OFFICE (O) AND COMMERCIAL (C) DISTRICTS/USES [1] [2]	INDUSTRIAL (I) DISTRICTS/Uses [1] [2]
Other buffers and landscape areas shall be provided in accordance with the Landscaping, Screening and Buffer standards contained in Chapter 9 of this Ordinance.	Rear and side yard buffers with a minimum width of 100 feet shall be provided except when abutting industrial district or use. All trees with a DBH of 8 inches or greater shall be retained within such buffers. Buffers shall also contain the following minimum plantings per 100 linear feet: 12 canopy trees, 15 understory trees and 40 shrubs. Existing trees with a DBH of 6 inches or greater may be utilized to meet any planting requirements.

Notes:

- [1] All required landscape and buffer areas should contain vegetation selected from the List of Native and Naturalized Species available from the Site Plan Review Coordinator or other plant species expressly approved by the Planning Director. At least 50 percent of understory vegetation must be evergreen. The preservation of existing natural vegetation is preferred over new plantings.
- [2] Drainage swales that are designed to direct [not hold] water may be placed in required buffers only when trees are not endangered and only when the swale meanders through the buffer in an unobtrusive manner.

**§5.4.7 SIGNS**

Signs shall comply with the following standards:

<b>STANDARD</b>	
Maximum Sign Face Area (square feet) [1]	40
Maximum Sign Height (feet) [2]	10
Maximum Number of Signs per Major Road Frontage	1
Internal Illumination Allowed Internally illuminated signs must be constructed with routed letters and/or an opaque background	Yes

[1] A maximum of two (2) sign faces shall be allowed per sign.

[2] Freestanding signs shall be monument or pedestal type.

#### **§5.4.8 ACCESSORY STRUCTURE SIZE**

Accessory structures for all nonresidential uses shall not exceed 25 percent of the area of the principal structure. Residential use of accessory structures shall be prohibited except for owner/business operators.

#### **§5.4.9 DIMENSIONAL AND DEVELOPMENT STANDARDS**

- A. Building height shall be limited to 35 feet above base flood elevation;
- B. Maximum building cover shall not exceed thirty percent (30%) of the lot, with the exception of parcels involved in shared access agreements which are allowed a maximum building cover of forty percent (40%) of the lot, per Section 5.4.5; and
- C. All other development standards of Chapter 9 shall apply.

#### **§5.4.10 PEDESTRIAN ACCESS**

- A. Grade-separated pedestrian walkways must provide a direct connection from the street to the main entrance, and to abutting properties.
- B. Pedestrian walkways must be designed and located in a manner that does not require pedestrians to walk through parking lots or cross driveways.
- C. All pedestrian access and pedestrian walkways shall meet the standards of Chapter 9 of this Ordinance.

### **ARTICLE 5.5 MP-O, MOUNT PLEASANT OVERLAY DISTRICT**

#### **§5.5.1 STATEMENT OF FINDINGS**

The MP-O, Mount Pleasant Overlay district, is comprised of the unincorporated areas along Long Point Road, Coleman Boulevard, Chuck Dawley Boulevard, Highway 17 North, and other areas as shown on the map entitled "Mount Pleasant Overlay District." Highway 17 North is a major thoroughfare for travel in the Mount Pleasant/East Cooper Area. Both commercial and residential land uses exist along this corridor. This district has been created in cooperation with the Town of Mount Pleasant in recognition that there are properties located within the Town which are adjacent to similarly situated properties located within unincorporated Charleston County.

The Sweetgrass Basket Stand Special Consideration Area is located within the Mount Pleasant

**CHAPTER 9 | DEVELOPMENT STANDARDS**

**Table of Contents**

ART. 9.1	PURPOSE AND INTENT .....	9-1
ART. 9.2	APPLICABILITY .....	9-1
ART. 9.3	OFF-STREET PARKING AND LOADING .....	9-1
ART. 9.4	TREE PROTECTION AND PRESERVATION .....	9-16
ART. 9.5	LANDSCAPING, SCREENING AND BUFFERS.....	9-24
ART. 9.6	ARCHITECTURAL AND LANDSCAPE DESIGN STANDARDS .....	9-36
ART. 9.7	WETLANDS, WATERWAYS AND OCRM CRITICAL LINE.....	9-41
ART. 9.8	HISTORIC PRESERVATION .....	9-43
ART. 9.9	TRAFFIC IMPACT STUDIES .....	9-43
ART. 9.10	VISION CLEARANCE .....	9-46
ART. 9.11	SIGNS .....	9-47
ART. 9.12	DRAINAGE DESIGN.....	9-55
	CHAPTER 9 EXHIBITS.....	9-56

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## **CHAPTER 9 | DEVELOPMENT STANDARDS**

### **ARTICLE 9.1 PURPOSE AND INTENT**

The purpose of the regulations contained in this Chapter is to protect the public health, safety, and general welfare; to promote harmonious and orderly development; and to foster civic beauty by improving the appearance, character and economic value of civic, commercial and industrial development within the unincorporated areas. The Development Standards are authorized for the following purposes, among others:

- A. Implement the goals, objectives, and policies of the County of Charleston *Comprehensive Plan*;
- B. Facilitate safe transportation, access, vehicular circulation, and parking;
- C. Assure the protection and preservation of natural resources, such as trees and wetlands;
- D. Implement the use of vegetated buffers in order to mitigate the effects of incompatible adjacent uses, to provide transition between neighboring properties and streets, to moderate climatic effects, and to minimize noise and glare;
- E. Implement basic architectural standards, right-of-way buffer standards, and sign standards that will promote attractive, well-designed development, foster balanced streetscapes, and reduce visual clutter along major roadways, thus enhancing safe traffic flow; and
- F. Insure protection from fire, flood and other dangers, and furthering the public welfare in any regard specified by a local governing body.

### **ARTICLE 9.2 APPLICABILITY**

Unless expressly stated, the articles in this Chapter apply to development occurring on property within unincorporated Charleston County.

### **ARTICLE 9.3 OFF-STREET PARKING AND LOADING**

#### **§9.3.1 GENERAL**

##### **A. Applicability**

##### **1. New Development**

The off-street parking and loading standards of this Article apply to any new building constructed and to any new use established.

##### **2. Expansions and Alterations**

The off-street parking and loading standards of this Article apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces will be required only to serve the enlarged or expanded area, not the entire building or use, provided that in all cases



the number of off-street parking and loading spaces provided for the entire use (preexisting + expansion) must equal at least 75 percent of minimum ratio established in Off-Street Parking Schedule "A" of this Article.

**B. Timing of Installation**

Required parking spaces and drives shall be ready for use and approved by the Planning Director prior to issuance of a Certificate of Occupancy.

**C. Reduction Below Minimums**

The Planning Director shall be authorized to reduce the number of required parking spaces by no more than 10 percent (10%) when more than ten (10) spaces are required with the following conditions:

1. The site can support the minimum required number of parking spaces and meet all development standards in this Ordinance including buffers and landscaping requirements; or
2. The reduction is necessary to meet the Tree Protection and Preservation regulations contained in Article 9.4 of this Ordinance.

This allowable reduction excludes medical offices and restaurant uses. Any change in use that increases applicable off-street parking or loading requirements will be deemed a violation of this Ordinance unless parking and loading spaces are provided in accordance with the provisions of this Article.

**§9.3.2 OFF-STREET PARKING SCHEDULE A**

Unless otherwise expressly allowed, off-street parking spaces shall be provided in accordance with the following table.

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
<b>RESIDENTIAL</b>	
Congregate Living	1 per 3 beds
Farm Labor Housing (Dormitory)	0.5 per bed
Adult/Child Group Home or Residential Care Facility	1 per 3 beds, plus 1 per employee in single shift
Multi-Family	1.5 per 1-bedroom unit; 2 per 2-bedroom unit; 2.5 per 3-bedroom and larger units
Retirement Housing	0.75 per 1-bedroom unit; 1 per 2-bedroom unit; 1.5 per 3-bedroom and larger units
Single Family: Detached and attached, including dwelling groups, duplexes and manufactured housing units.	2 per dwelling unit
<b>CIVIC/INSTITUTIONAL</b>	
Cemetery	1 per full time employee
Court of Law	1 per employee plus 1 per every 3 seats of seating available to the public in the courtroom
College or University Facility	1 per 100 square feet classroom plus 1 per 300 square feet office/administrative plus 1 per 3 beds
Community Recreation	1 per 250 square feet of gross floor area
Convalescent Services	1 per 5 beds
Historical Sites, Libraries, Archives or Museums	1 per 300 square feet
Adult or Child Day Care Facilities	1 per employee plus 1 per 5 children/adults
Counseling Service	1 per 150 square feet
Hospital	1 per 2 beds plus 1 per 300 square feet of floor area of administrative and medical offices
Nature Exhibition or Botanical Gardens	1 per employee in single shift plus 2 spaces per acre
Parks & Recreation	1 per 5,000 square feet of land area plus outdoor recreation requirements
Postal Service, United States	1 per 150 square feet of floor area
Railroad Freight Depot	1 per 2,400 square feet
Recycling Collection, Drop-Off	1 per recycle collection container
Public Assembly: Including Conference Centers, Concert Halls, Religious Assemblies, Professional, Labor or Political Organizations and Social Clubs or Lodges	1 per 5 fixed seats or 1 per every three (3) persons in structures with non-fixed seating of the maximum occupancy load as established by building code. The number of spaces required may be reduced a maximum of 50% if the assembly area is located within 500 feet of any public or commercial parking lot where sufficient spaces are available by parking agreement.
Intermediate Care Facility for the Mentally Retarded	1 per bed plus 1 per employee in single shift

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Health Care Related Services: Including Home Health Agency, Laboratory, Outpatient Services and Rehabilitation facilities	1 per 200 square feet of gross floor area with a minimum of 4 spaces
Safety Services	1 per 2 employees
Pre-School or Educational Nursery	1 space per 6 students for which the facility is licensed plus 1 per employee
School, Primary	1 space for each vehicle owned and operated by the school plus two per employee (including faculty, administrative, etc.)
School, Secondary	1 space for each vehicle owned and operated by the school plus two per employee (including faculty, administrative, etc.) plus 1 per 8 students
Personal Improvement Education	1 per every 3 students plus 1 per employee
Utility Service, Major	1 space per employee plus 1 per stored vehicle
Utility Service, Minor	None
Zoo	10 plus 1 per employee in single shift
<b>COMMERCIAL</b>	
Agricultural Sales/Service	1 per 500 square feet of floor area plus 4 per acre outdoor sales/display/storage area
Pet Stores, Grooming Salons, or Small Animal Boarding	1 per 300 square feet of floor area
Bar or Lounge	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area
Bed and Breakfast	1 per guest room
Rooming or Boarding House	1 per guest room
Business or Trade School	1 per 100 square feet classroom plus 1 per 300 square feet business/administrative office
Communication: Including data processing and publishing services	1 per 300 square feet of floor area
Heavy Construction Service, General Contractor, or Special Trade Contractors	1 per 400 square feet indoor floor area plus 4 spaces per acre outdoor storage/display/sales area
Convenience Store	1 per 200 square feet of floor area
Charter Boat or Other Recreational Watercraft Rental Services	1 per rental boat or watercraft plus 1 per employee
Construction Tools, Commercial or Industrial Equipment Rental	1 per 250 square feet of floor area not including storage areas
Heavy Duty Truck or Commercial Vehicle Rental or Leasing	1 per rental vehicle plus 1 per employee in single shift
Banks and Financial Services	1 per 300 square feet of floor area, also see drive-thru requirements
Food Sales and Grocery Stores	1 per 175 square feet
Funeral Services	1 per 4 seats or 1 per employee, whichever is greater

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Hair, Nail or Skin Care Service	2 per employee or work station, whichever is greater
Hotel-Motel	1 per room plus spaces as required for associated restaurants, bars, and offices
Kennel	1 plus 1 per employee
Liquor Sales, Beer or Wine Sales	1 per 200 square feet of floor area
Marina	1 space per 200 sq. ft. of office area plus 1 per 3 wet slips and 1 per 5 dry stack storage
Boat Yard	1 per employee
Office, Medical	1 per 150 square feet of floor area
Outpatient Clinic	1 per 200 square feet of floor area with a minimum of 4 spaces
Office, Business/Professional/Administrative	1 per 300 square feet of floor area
Office, Resort Real Estate	1 per 200 square feet of floor area
Office, Parole or Probation	1 per employee plus 1 per 200 square feet of floor area
Office/Warehouse Complex	1 per employee in shift plus 1 per 2000 square feet of office space
Convention Center or Visitors Bureau	4 per 1000 square feet of floor area
Parking, Lot or Garage	1 per employee
Pawn Shop	1 per 200 square feet of floor area
Personal Improvement Service	1 per 200 square feet of floor area
Recreational Vehicle Park or Campground	1 per employee plus 1 per recreational vehicle and camp site
Recreation and Entertainment, Indoor	1 per 3 seats or 1 per 200 square feet of floor area, whichever is greater
Recreation and Entertainment, Outdoor	1 per 200 square feet of public activity area plus, Swimming Pool-1 per 200 square feet of water surface area Tennis-2 spaces per court Basketball- 5 spaces per court Athletic Field- 15 spaces per diamond or field
Fishing or Hunting Guide Service	5 per employee
Fishing or Hunting Lodge (Commercial)	1 per visitor plus 1 per 5 members
Recreation or Vacation Camp	1 per employee plus 1 per camp vehicle or camp site
Golf Courses or Country Clubs	1 per employee plus 4 per golf green, plus 1 per 4 seats for accessory restaurant or bar use
Repair Service, Consumer	1 per 300 square feet of floor area
Catering Service	1 per 400 square feet of floor area

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
Restaurant, Fast Food	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area+vehicle stacking spaces per Article 9.3.8
Restaurant, Fast Food (no inside seating)	1 per employee plus 1 per 200 square feet outdoor seating area+vehicle stacking spaces per Article 9.3.8
Restaurant, General	1 per 75 square feet indoor seating area plus 1 per 200 square feet outdoor seating area
Retail Sales+Service, General	1 per 300 square feet indoor floor area+5 spaces per acre outdoor storage/display/sales area
Shopping Center (mixed retail, office, food sales, restaurant)	1 space per 200 square feet
Nonstore Retailers	1 per employee plus 2 spaces for deliveries
Building Materials or Garden Equipment and Supplies Retailers	1 per 200 square feet of floor area not including storage plus 1 per employee
Services to Buildings and Dwellings	1 per employee plus 1 space for deliveries
Scrap and Salvage Service	1 per employee plus 2 per acre
Self-Service Storage/Mini Warehouse	3 spaces plus 1 space per employee and 1 space per 100 units
Gasoline Service Station	1 per 200 square feet of gross floor area plus vehicle stacking spaces per Article 9.3.8
Truck Stop	1 per employee plus truck space parking plus any parking required in this table when restaurant or motel is included.
Stable (Boarding or Commercial for Hire)	1 per 2 stalls
Vehicle Repair, Consumer	2 per employee or service bay
Vehicle Sales or Vehicle Rental or Leasing	1 per 2,500 square feet of display, 1 per 250 square feet indoor enclosed floor space
Vehicle Parts, Accessories or Tire Stores	1 per 300 square feet of floor area (10 space minimum)
Vehicle Storage	1 per 2 employees
Veterinary Services	3 spaces per each veterinarian or allied professional
<b>INDUSTRIAL</b>	
Repair Service, Commercial	1 per 400 square feet office area plus 1 per 2 employees
Dry Cleaning Plant, Carpet Cleaning Plant or Commercial Laundry	1 per employee plus 1 per 3 washing/drying machines if provided for customer use
Photo Finishing Laboratory	1 per 200 square feet of floor area
Manufacturing and Production	1 per 400 square feet of office area plus 1 per 2 employees
Warehouse and Distribution Facilities	1 per 300 square feet office area plus 1 per 600 square feet for 1 <sup>st</sup> 12,000 square feet warehouse/storage area plus 1 per 900 square feet for remaining warehouse/storage area (over 12,000 square feet)
Wholesale Sales	1 per 600 square feet for 1 <sup>st</sup> 12,000 square feet+1 per 900 square feet for remaining area (over 12,000 square feet)

USE TABLE	NUMBER OF OFF-STREET PARKING SPACES REQUIRED (MINIMUM)
<b>AGRICULTURAL AND OTHER USES</b>	
Animal Production	None
Aviation	1 space per 5 aircraft tie down or storage plus 1 space per 4 seats in waiting room areas
Sightseeing Transportation, Land or Water	1 per 2 seats of sightseeing vehicle
Taxi or Limousine Service	1 per employee plus one per vehicle that provides service
Urban Transit Service	1 per 100 square feet of public waiting area plus 1 per two employees and 1 per transit vehicle
Water Transportation	1 per two seats of transportation vehicle plus 1 per employee
Communications Towers	None
Crop Production	None
Agricultural Processing	1 per employee
Roadside Stands	3 per stand
Horticulture, Greenhouse or Hydroponics Production	1 per employee
Commercial Timber Operations	None
Lumber Mills, Planing or Saw Mills	1 per employee plus 1 per commercial vehicle plus 1 per 400 square feet of floor area
Recycling Center or Waste Related Use	1 per employee
Resource Extraction	1 per 2 employees

### §9.3.3 RULES FOR COMPUTING PARKING AND LOADING REQUIREMENTS

The following rules apply when computing off-street parking and loading requirements:

- A. Multiple Uses**  
Lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.
- B. Fractions**  
When measurements of the number of required spaces result in a fractional number, any fraction of one-half or less will be rounded down to the next lower whole number and any fraction of more than one-half will be rounded up to the next higher whole number.
- C. Area Measurements**  
Unless otherwise expressly stated, all square-footage-based parking and loading standards must be computed on the basis of gross floor area. Storage areas or common areas incidental to the principle use shall be exempt from this measurement when the following conditions are met:

1. The storage area or common area is a minimum of two hundred fifty (250) square feet; and
2. The applicant has provided documentation that such areas will not be used as space for employees, customers, or residents.

**D. Occupancy-Based Standards**

For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

**E. Unlisted Uses**

Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Planning Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or require parking spaces in accordance with a parking study prepared by the applicant.

**§9.3.4 LOCATION OF REQUIRED PARKING**

**A. On-Site Parking**

1. Except as expressly stated in this Section, all required off-street parking spaces must be located on the same lot as the principal use and shall be arranged and laid out so as to ensure that no parked or maneuvering vehicle will encroach upon a sidewalk, public right-of-way or property line.
2. Parking lots in Office (O) and Commercial (C) districts containing more than ten parking spaces shall be located to the side or rear of the principal structure's front facade or within a courtyard surrounded by a structure on at least three sides.

**B. Off-Site Parking**

A maximum of 50% of off-street parking spaces may be located on a separate lot from the lot on which the principal use is located if the off-site parking complies with the all of following standards. If any one of the following standards cannot be met, Special Exception approval shall be required:

1. Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located off site.
2. No off-site parking space may be located more than 600 feet from the primary entrance of the use served, unless shuttle bus service is provided to the remote parking area. Off-site parking spaces may not be separated from the use that it serves they serve by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian

walkway is provided, or other traffic control or shuttle bus service is provided to the remote parking area.

3. Parking spaces located off site in accordance with this Section shall be considered accessory to the primary use, regardless of the fact that such accessory use is not located on the same parcel as the principal use.
4. Off-site parking areas serving uses located in Nonresidential zoning districts must be located in non-residential zoning districts. Off-site parking areas serving uses located in Residential or Agricultural zoning districts may be located in Residential, Agricultural or Nonresidential zoning districts.
5. In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement will be required. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recording on forms made available in the Planning Department. Recording of the agreement with the Register of Mesne Conveyance must take place before issuance of a zoning permit, building permit or Certificate of Occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Article.
6. Shared parking areas must be connected by a continuous network of sidewalks and pedestrian crosswalks.

### **C. Shared Parking**

1. Uses with different operating hours or peak business periods may share off-street parking spaces if the shared parking complies with the all of following standards. If any one of the following standards cannot be met, Special Exception approval shall be required.
2. Shared parking spaces must be located within 600 feet of the primary entrance of the use served, unless shuttle bus service is provided to the shared parking area. Shared parking may not be separated from the use that it serves by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or shuttle bus service is provided to the parking area.
3. Shared parking areas serving uses located in Nonresidential zoning districts must be located in non-residential zoning districts. Shared parking areas serving uses located in Residential or Agricultural zoning districts may be located in Residential, Agricultural or Nonresidential zoning districts.
4. Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Planning Director that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the



Planning Director and made available to the public. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

5. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Planning Director for recording on forms made available in the Planning Department. Recording of the agreement with the Register of Mesne Conveyance must take place before issuance of a building permit or Certificate of Occupancy for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with this Article.
6. Shared parking areas must be connected by a continuous network of sidewalks and pedestrian crosswalks.

#### **§9.3.5 ACCESSIBLE PARKING FOR PHYSICALLY DISABLED PERSONS**

The parking standards of this Article are intended to ensure compliance with the Americans with Disabilities Act (ADA). A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by persons with physical disabilities.

##### **A. Number of Spaces**

The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling off-street parking standards.

Total Parking Spaces Provided	Minimum Number of Accessible Spaces	Minimum Number of Van-Accessible Spaces	Minimum Number of Car-Accessible Spaces
1—25	1	1	0
26—50	2	1	1
51—75	3	1	2
76—100	4	1	3
101—150	5	1	4
151—200	6	1	5
201—300	7	1	6
301—400	8	1	7
401—500	9	2	7
501—1,000	2% of total spaces	1 out of every 8 accessible spaces	7 out of every 8 accessible spaces
Over 1,000	20 + 1 per each 100 spaces over 1,000		

**B. Minimum Dimensions**

All parking spaces reserved for persons with disabilities shall comply with the parking space dimension standards of this Section, provided that access aisles shall be provided immediately abutting such spaces, as follows:

1. Car-accessible spaces shall have at least a five-foot-wide access aisle located abutting the designated parking space.
2. Van-accessible spaces shall have at least an eight-foot-wide access aisle located abutting the designated parking space.

**§9.3.6 PARKING SPACE AND PARKING LOT DESIGN**

**A. Parking Lot Design**

Dead end type of parking layouts that cause or contribute to poor vehicular circulation will not be allowed unless all other site configurations and parking options of the required number of parking spaces have been exhausted.

**B. Aisle Widths and Parking Space Dimensions**

Drive aisle widths and parking space dimensions shall comply with the standards in the following table. Twenty percent (20%) of the minimum number of required parking for a development may utilize compact and sub-compact vehicle parking dimensions. These dimensions shall be a minimum of 7 feet 6 inches x 15 feet (7'6" x 15') and clearly marked for compact vehicles only.

x°	Stall Width A	Stall Depth B	Aisle Width C	Skew Width D
60°	8' 0" 8' 6" 9' 0"	19'7" 18'0" 17' 0"	19'0" 18' 0" 17' 0" *One Way	9'3" 9' 10" 10' 5"
45°	8' 0" 8' 6" 9' 0"	18'5" 18'8" 19' 1"	12'0" 11'0" 11'0" *One Way	11'4" 12'0" 12'9"
30°	8' 0" 8'6" 9'0"	15' 11" 16'5" 16' 10"	11'0" 10'0" 9' 0" *One Way	16' 0" 17'0" 18' 0"
0°	8' 0" 8' 6" 9' 0"	22' 0" 22' 0" 23' 0"	11' 0" 11' 6" 12' 0" *One Way	N/A (PARALLEL)
90°	8' 0" 8' 6" 9' 0"	18' 0" 18'0" 18' 0"	28' to 32' 25' to 29' 23' to 27' *Two Way	N/A

Note: Two Way drive aisles shall always require a minimum width of 23 feet.

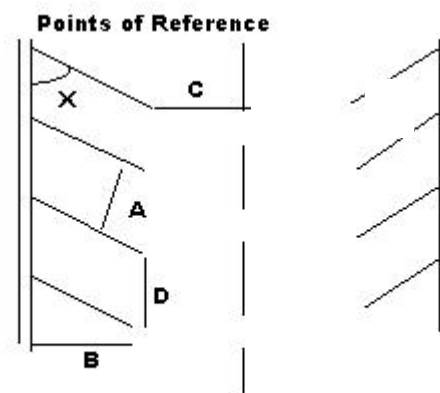


Figure 2

**C. Parking Lot Landscaping**

See Article 9.5 of this Chapter.

**D. Markings and Surface Treatment**

1. In paved parking areas, each off-street parking space shall be identified by surface markings at least four inches in width. Markings shall be visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles. In unpaved parking lots, all parking spaces must have a curb stop (minimum height of four inches) to delineate the location of the space and to prevent the encroachment of parking onto adjoining properties, rights-of-way, or landscaped areas.

2. One-Way and Two-Way accesses into required parking facilities shall be identified by directional arrows.
3. Unpaved parking lots must have an all weather surface such as gravel, slag or other pervious surface, not including asphalt shingles. Entrance and exit drives serving unpaved parking lots accessed from a paved street must be paved from the edge of the street pavement to a distance of 20 feet into the property. No more than 120 percent of the required number of off-street parking spaces may be paved and no more than 70 percent of all developable land within parcels may be paved, unless approved by the Planning Director.

#### **E. Access**

1. Required parking spaces shall not have direct access to a street or highway. Access to required parking spaces shall be provided by on-site driveways. Off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way.
2. Parking lot entrance and exit drive curb cuts will not be more than 30 feet in width. Entrances or exits which include a median strip to separate traffic flow in opposite directions may be expanded to 60 feet. Curb cuts shall be allowed in accordance with the following table:

<b>LENGTH OF FRONTAGE</b>	<b>MAXIMUM NUMBER OF DRIVEWAYS</b>
<b>250 feet or less</b>	<b>1*</b>
<b>251 feet to 1,500 feet</b>	<b>2</b>
<b>1,500 feet or more</b>	<b>3</b>

\* On frontages of 250 feet or less, a pair of one-way driveways may be substituted only if the internal circulation on the site is compatible with the one-way driveways and wrong-way movements on the driveways are rendered impossible or extremely difficult for motorists. Refer to the South Carolina Department of Transportation's Access and Roadside Management Standards Manual for recommended spacing of driveways based on speed of traffic.

3. Entrance and exit drives shall be located at least 100 feet from the edge of the right-of-way of any street intersection. If the subject lot has less than 100 feet of frontage, the Planning Director shall be authorized to alter these requirements. Suitable provisions will be made to prevent ingress or egress at other than designated entrance or exit drives.
4. The Planning Director shall be authorized to require that access to dwelling units comply with the International Fire Code, as adopted by County Council.
5. Shared access between parcels may be allowed with written agreement among all owners of record. An attested copy of the access agreement between the owners of record must be submitted to the Planning Director for recording on forms made available in the Planning Department.

Recording of the agreement with the Register of Mesne Conveyance must take place before issuance of a zoning permit or certificate of occupancy for any use to be served by shared access. Any shared access must meet all dimensional requirements of this Ordinance and any applicable SCDOT requirements.

### §9.3.7 USE OF REQUIRED PARKING SPACES

Required off-street parking areas shall be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease, for motor vehicle repair or service work of any kind, or for long-term storage of vehicles, boats, motor homes, campers, manufactured housing units, or building materials.

### §9.3.8 Vehicle Stacking Areas

#### A. Minimum Number of Spaces

Off-street stacking spaces shall be provided as follows:

Activity Type	Minimum Spaces	Measured From
Bank teller lane	3	Teller Window
Automated teller machine	2	ATM
Restaurant drive-through	5	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Car wash stall, automatic	4	Entrance
Car wash stall, self-service	3	Entrance
Dry Clean Service	3	Pick up Window
Gasoline pump island	2	Pump Island
Other	Determined by Planning Director	

#### B. Parking Area Design and Layout

Required stacking spaces are subject to the following design and layout standards:

- Stacking spaces must be a minimum of eight feet by 20 feet in size.
- Stacking spaces may not impede on or off-site traffic movements or movements into or out of off-street parking spaces.
- Stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Director of Public Works for traffic movement and safety.
- The Planning Director may require pick-up and drop-off loop drives with sufficient vehicle stacking lanes to prevent vehicle backups into internal

travel lanes and parking lots for school uses, adult and child day care facility uses, public assembly uses, and conference facility uses.

### §9.3.9 OFF-STREET LOADING

#### A. Spaces Required

For every retail sales, service, wholesaling, warehousing, or manufacturing establishment and each bus or truck terminal, there shall be provided sufficient space to accommodate the maximum number of trucks that will be loading, unloading, or standing at any one time.

#### B. Size of Space

Each off-street loading space shall be of a size commensurate with the buildings to be accommodated. In no case shall required off-street loading space encroach upon off-street parking space required under this Article.

#### C. Location

All required off-street loading spaces shall be located on the same lot as the building which they are intended to serve.

#### D. Entrances and Exits

Off-street loading entrance and exit drives shall be located at least 25 feet from any street intersection.

#### E. Loading Spaces Adjacent to Sidewalks

Where a loading space is adjacent to a public sidewalk or other public pedestrian way, it shall be so located, arranged, and improved with curbs or other barriers, as to provide adequate protection for pedestrians.

#### F. Maneuvering Areas

All off-street loading spaces shall be provided with adequate off-street maneuvering areas.

#### G. Landscaping, Buffers and Screening

See Article 9.5 of this Chapter.

### §9.3.10 PEDESTRIAN WAYS

#### A. Where Required

1. Paved pedestrian ways shall be provided in all non-residential development within the Urban and Suburban Areas of the County; and
2. Paved pedestrian ways shall link surrounding roadways with the front entrance and shall provide pedestrian linkages between the proposed development and uses on adjoining lots.

#### B. Placement

Paved pedestrian ways within publicly dedicated right-of-ways shall conform to the construction details for paved sidewalks contained in Charleston County Road Construction Standards, Appendix A. Alternative surface walkways may

be used outside of right-of-ways when deemed appropriate to surrounding development characteristics by the Planning Director.

## **ARTICLE 9.4 TREE PROTECTION AND PRESERVATION**

### **§9.4.1 GENERAL**

#### **A. Findings**

Trees are an essential natural resource, an invaluable economic resource, and a priceless aesthetic resource. Trees play a critical role in purifying air and water, providing wildlife habitat, and enhancing natural drainage of stormwater and sediment control. They also help conserve energy by providing shade and shield against noise and glare. Trees promote commerce and tourism by buffering different land uses and beautifying the landscape. The Tree Protection and Preservation regulations of this Article are intended to enhance the health, safety and welfare of Charleston County citizens.

#### **B. Applicability and Exemptions**

##### **1. Applicability**

The provisions of this Article in their entirety shall apply to all real property in unincorporated Charleston County, except as otherwise expressly exempted.

##### **2. Exemptions**

- a. Single family detached residential lots of record shall be exempt from all provisions in this Article except for the Grand Tree documentation, protection and replacement provisions. This exemption does not include applications for Major or Minor Subdivisions for which landscape buffers may be required per Section 9.5.4.
- b. The Planning Director shall be authorized to modify or reduce the standards of this Article for commercial nursery operations.
- c. This Article shall not restrict public utilities and electric suppliers from maintaining safe clearance around existing utility lines, and existing easements in accordance with applicable state laws. Siting and construction of future gas, telephone, communications, electrical lines or other easements shall not be exempt from the provisions of this Article.
- d. Removal of trees for the purpose of conducting “bona fide forestry operations” shall be exempt from the provisions of this Article except for removal of Live Oak species of Grand trees.
- e. Removal of trees for the purpose of establishing bona fide agricultural uses, as specified in Section 3.8.2A of this Ordinance, shall be exempt from the provisions of this Article except for the

Grand Tree documentation, protection and replacement provisions.

- f. Removal of trees for the purposes of maintaining safe clearance for aircraft as required by federal law or the establishment of facilities exclusively dedicated to aviation operations are exempt from this Article.
- g. Removal of trees on properties in the Industrial Zoning District is permitted pursuant to the following conditions:
  - i. Tree removal cannot occur prior to site plan approval;
  - ii. This exemption shall not apply to Live Oak species of Grand Trees or any protected trees within required buffers and parking lots; and
  - iii. Mitigation of removed trees, as stated in this Section, is required. Staff shall approve the mitigation of such trees in accordance with Section 9.4.6 of this Ordinance.

**3. Partial Exemptions for SCDOT and CCPW**

The South Carolina Department of Transportation (SCDOT) and Charleston County Public Works (CCPW) shall be exempt from the provisions of this Article except the following:

- a. All trees species measuring 6 inches or greater DBH located in rights-of-way along Scenic Highways as designated in this Ordinance shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5B and 9.4.6.
- b. Grand Tree Live Oak species in all present and future rights-of-way shall be protected and require a variance from the Charleston County Board of Zoning Appeals for removal per Article 9.4.5.B and 9.4.6.
- c. All Grand Trees other than Live Oak species not located on a Scenic Highway are protected but may be permitted to be removed administratively when mitigated per Article 9.4.6.

**C. DEFINITION OF "TREE REMOVAL"**

For the purpose of this Article, the term "tree removal" shall include, but not be limited to, damage inflicted to the root system by machinery; girdling; storage of materials and soil compaction, changing the natural grade above or below the root system or around the trunk; damage inflicted on the tree permitting fungus infection or pest infestation; excessive pruning; excessive thinning; paving with concrete, asphalt or other impervious material within such proximity as to be harmful to the tree; or any act of malicious damage to a tree. Excessive pruning or thinning shall be pruning or thinning that exceeds more than 25 percent of the leaf surface on both the lateral branch and the overall foliage of a mature tree that is pruned within a growing season. Additionally, one-half of



the foliage of a mature tree is to remain evenly distributed in the lower two thirds of the crown and individual limbs upon completion of any pruning.

#### **D. MEASUREMENTS AND DEFINITIONS**

##### **1. Diameter Breast Height**

Diameter Breast Height is used for measuring all trees greater than 12-inch caliper. The Diameter Breast Height (DBH) of a tree is the total diameter, in inches, of a tree trunk or trunks measured 4½ feet above existing grade (at the base of the tree). In measuring DBH, the circumference of the tree shall be measured with a measuring tape designed specifically to calculate diameter. A standard measuring tape may be used to measure diameter when the circumference is divided by 3.14. If a tree trunk splits at ground level and the trunks do not share a common base (separated by earth at natural grade), then each trunk shall be measured as a separate tree. If a multi-trunk tree splits below the 4.5 foot mark and the trunks share a common base, all trunks shall be measured separately, added together, and count as one tree. Any trunk measuring less than 8 inches DBH is not included in the calculation.

##### **2. Caliper**

Caliper is the diameter of a tree trunk measured six inches above the ground on trees with calipers of four inches or less. For trees between four-inch and 12-inch caliper, the trunk is measured 12 inches above the ground.

##### **3. Grand Tree**

Any tree measuring 24 inches or greater diameter breast height (DBH) except pines. All Grand Trees are prohibited from removal unless a Grand Tree Removal Permit is issued.

##### **4. Protected Trees**

Any tree on a parcel with a diameter breast height of eight inches or greater prior to development and all trees within required buffers or required landscape areas. Limited removal is allowed only when specified by the provisions of this Ordinance.

#### **§9.4.2 ADMINISTRATION**

##### **A. Zoning Permit Required**

##### **1. Tree Removal**

Removal of required trees is prohibited prior to the issuance of a Zoning Permit by the Planning Director. Zoning Permits will be issued only after a tree plan is approved by the Planning Director, as outlined below.

##### **2. Excess Canopy (Limb) Removal**

- a. Removal of three or more limbs with an individual diameter of six inches or greater shall require a Zoning Permit.

- b. Removal of any size limbs which contribute to more than one hundred continuous linear feet of canopy over public roadways shall require Variance approval from the Board of Zoning Appeals. This requirement shall not preclude the SCDOT, CCPW or other entities from maintaining height clearances of 14' or less and width clearances within designated travel ways and from removing unprotected trees along right-of-ways for road widening projects.

**B. Documentation**

Tree plans, prepared by a licensed registered surveyor, civil engineer or landscape architect shall be required on all non-exempt parcels before any zoning permits are issued.

**§9.4.3 TREE PLANS AND SURVEYS**

**A. General**

Tree plans of the same scale as, and superimposed on, a development site plan or preliminary plat shall include location, number, size (DBH), and species with a scaled graphic representation of each Grand Tree, canopy size and shape, and the trunk location. All required tree surveys shall include the name, phone number, address, signature, and seal of a licensed surveyor, landscape architect, or civil engineer registered in the State of South Carolina. The survey shall include all trees to be protected or preserved, and those scheduled to be removed, including dead and damaged trees. In cases where a previously approved recorded plat is utilized for the purpose of tree plans the name, address, phone number, signature and seal of the licensed landscape architect, civil engineer, forester or surveyor, registered in the State of South Carolina shall be provided. A scaled infrared or high resolution black and white aerial photograph or print of equal quality may be substituted in cases where the Planning Director determines that it would provide the same information as a tree plan. However, all Grand Trees within 40 feet of proposed construction and land disturbance areas and trees within required buffers must be surveyed and mapped.

**B. Major and Minor Subdivision Preliminary Plats**

Refer to Section 8.4.2.A.4 Preliminary Plat Application in the Subdivision Regulations of Chapter 8 of this Ordinance.

**C. Commercial, Industrial and Multi-Family Parcels**

1. All tree surveys must show the location, number, size and species of all trees 8 inches or greater DBH (Diameter Breast Height) including those scheduled to be removed.
2. When there are trees 8 inches or greater DBH, documentation of this fact shall be provided from a registered surveyor, engineer or landscape architect.

**[Commentary: Assistance in tree identification and condition should be provided by a forester or qualified arborist.]**

**D. Single Family Detached Residential Parcels**

1. Single family detached residential parcels shall show all Grand Trees within the area of construction and land disturbance and in conjunction with the subdivision regulations of this Ordinance at the time a zoning or building permit application is made.

**§9.4.4 REQUIRED TREE PROTECTION****A. General**

All Grand Trees and any other trees required to remain on a site as outlined in this Ordinance must be protected during construction and development of the parcel. Tree protection must be shown on all development plans prior to site plan approval. A site inspection of the tree barricades must be scheduled by the applicant with the Planning Department for approval prior to the issuance of permits or the start of development activities.

Prior to issuance of a zoning permit, a pre-construction planning conference for tree preservation is required on site with the Planning Director's representative, the applicants, and any parties deemed appropriate for the purpose of determining if there is a need for additional tree protection techniques and for designating placement of tree barricades, construction employee parking, temporary construction office and dumpsters.

**B. Tree Protection During Development and Construction**

Protective barricades shall be placed around all required trees in or near development areas on all zoning parcels, prior to the start of development activities. These barricades, constructed of wood or plastic fencing or other approved materials shall be erected in accordance with standards by the Planning Director and placed beneath the canopy drip line or one and one-half feet times the DBH of the tree. Other protective devices or construction techniques may be used as approved by the Planning Director. The barricades shall remain in place until development activities are complete. The area within the protective barricade shall remain free of all building materials, dirt, fill, or other construction debris, vehicles, and development activities. All required trees are also subject to the provisions of Section 9.5.6 of this Chapter and subject to the enforcement criteria of Chapter 11.

**C. Partial Exception for Limited Clearing**

Limited clearing and grubbing may be authorized by the Planning Director prior to the installation of protective tree barricades on sites that exhibit unusually heavy undergrowth where access to the interior of the site and its protected trees would be otherwise highly impractical. Limited clearing shall be for the express purpose of accessing the property and protected trees to erect the required tree protection and silt fencing. For the purposes of this Article, limited clearing shall be clearing done with hand tools, push or walk behind equipment or lightweight bush-hog type equipment designed specifically for brush and undergrowth clearing that is not capable of removing vegetation greater than 3 inches in diameter. Under no circumstances will metal tracked bulldozers, loaders, or similar rider/operator types of equipment be allowed on the site until the protective barricades are erected and a zoning permit is issued.

**D. Separation of Trees from Pavement, Grading and Structures**

Paved areas shall be separated from trees by a minimum distance of the drip line or one and one-half feet times the DBH or as modified by the Planning Director as deemed necessary to protect the root system of the tree. Paved areas shall not constitute more than 25 percent of the protected area beneath a tree. Any paving, grading, trenching, or filling within the remaining 75 percent of the protected area must be approved by the Planning Director and may require specific construction techniques be used in order to preserve the health of the tree. Refer to Chapter 9 exhibits for examples. When grading and construction within the protected area of a tree has been approved, all damaged roots shall be severed clean and inspected by the County Landscape Architect or Inspector prior to the receipt of a Zoning Permit.

**E. Quantity and Location of Trees to be Protected**

Before the issuance of a Zoning Permit for Commercial, Industrial, Multi-Family, and Civic/Institutional uses, the following number of trees with a diameter breast height of 8 inches or greater shall be preserved and protected in accordance with the provisions of Section 9.4.4.B of this Ordinance. All trees located within required buffers as outlined in Article 9.5 shall be protected.

1. 20 trees per acre; or
2. Any number of trees with a combined diameter breast height of at least 160 inches per acre.
3. Required drainage improvements such as detention and retention ponds and wetlands may be subtracted from the area used to calculate tree preservation requirements.

**§9.4.5 TREE REMOVAL**

**A. Generally**

Permits for tree removal may be approved where one or more of the following conditions are deemed to exist by the Planning Director:

1. Trees are not required to be retained by the provisions of this Article.
2. Trees are diseased, dead or dying (as determined by the Planning Director or a qualified arborist);
3. Trees pose an imminent safety hazard to nearby buildings, or pedestrian or vehicular traffic (as determined by the Planning Director or a qualified arborist); or
4. Removal of required trees has been approved by the Board of Zoning Appeals.

**B. Variances**

Grand Trees and protected trees that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals, and shall be

replaced according to a schedule determined by the Board. The Planning Director will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such trees.

**C. Emergency Provisions**

In the event that a tree poses a serious and imminent threat to public safety due to death, disease or damage resulting from emergencies including, but not limited to, fires, flooding, storms, and natural disasters, the Planning Director may waive requirements of this Article. Documentation must later be submitted for review outlining the threat to public safety which initiated the removal. Documentation must include any written findings by a qualified arborist and photographs supporting the tree removal emergency. The Planning Director may require replacement of required trees that are removed where it is determined that death or disease resulted from negligence.

**D. Violations and Penalties**

Violations and penalties are specified in Chapter 11 of this Ordinance.

**§9.4.6 TREE REPLACEMENT**

**A. Generally**

Tree replacement shall be required accompanying development on all non-exempt properties in the manner described below:

1. When replacement canopy trees are required in fulfillment of the requirements of this Article, they shall be no smaller than two and one-half-inch caliper.
2. The Planning Director or Board of Zoning Appeals is empowered to require trees of larger caliper as determined appropriate for site-specific conditions and the circumstances, lawful or illegal, under which removal occurred.

**B. Wooded Site with 160 Inches per Acre or More DBH**

When trees of 8 inches DBH or greater have been removed in violation of this Ordinance, replacement trees shall be planted in the same general area according to a replacement schedule approved by the Planning Director.

**C. Sites with Less Than 160 Inches per Acre Combined DBH**

When lots lack a sufficient number of trees to meet the requirement for DBH/number of trees per acre, all trees six inches DBH or greater shall be preserved and protected in accordance with Section 9.4.4.B of this Chapter during development and must equal no less than 40 inches per acre combined DBH. On lots with less than 40 inches per acre combined DBH, additional trees shall be planted on the lot equaling or exceeding 40 inches per acre combined DBH. Planting schedules shall be approved by the Planning Director.

**D. Previously Cleared Sites**

Where sites were completely cleared of trees prior to adoption of this Article or have been cleared subsequently for activities exempted from this Article,

replacement trees shall be planted, the combined caliper of which equals or exceeds 40 inches per acre. Replacement schedules, including number, species, caliper and placement shall be approved by the Planning Director.

**E. Tree Fund**

The Tree Fund is a fund established to receive monies exacted from tree removal violation fines to include, but not be limited to, removal, damage, destruction, or as defined in Section 9.4.1.C of this Chapter, and as a form of mitigation when planting of the required trees is determined to be detrimental to the overall health of existing trees or impractical for the intended site design. The Planning Director shall impose a Tree Mitigation fee based on the current market retail value of two- to three-inch caliper trees installed to the American Association of Nurserymen Standards. If the applicant disagrees with the amount of the Tree Mitigation fee imposed, they may file appeal with the Board of Zoning Appeals in accordance with the provisions contained in this Ordinance. All Tree Mitigation fees collected shall be paid to the County Treasurer and placed in an account established exclusively for public beautification through the planting of trees in Charleston County.

**F. Bankruptcy or Abandonment of Site**

When trees have been removed through an approved mitigation program and the project will not be completed for any reason (i.e., bankruptcy, abandonment, change in ownership, etc.), the owners of the subject property are responsible for the mitigation of the removed trees as outlined and agreed or subject to Section 9.4.6E of this Chapter.

**§9.4.7 INSPECTIONS AND FINAL APPROVAL**

- A. The Planning Director shall periodically visit development sites prior to completion to monitor compliance with the tree plan approved for a project.
- B. Prior to issuance of a Certificate of Occupancy for a completed structure by the Director of Building Services, the Planning Director shall issue a statement of approval attesting to the developer's compliance with the site plan approved for the project (including landscaping, parking, drainage, etc.). The Director of Building Services shall withhold certificates of occupancy pending verification of compliance. It is the responsibility of the owner or agent to contact the Planning Director regarding the compliance inspection. Such inspections will occur within five working days of contact. Failure to obtain a Certificate of Occupancy prior to occupying or using the building for its intended purpose will result in ticketing and fines. However, the Planning Director shall approve a delayed schedule for planting materials (provided by the applicant's contractor) when the immediate planting schedule would impair the health of the plants. When a delayed planting schedule is approved, the applicant shall provide a bond equivalent to one and one-half times the projected cost of the planting materials. This is designed to include severe weather, such as droughts, heat waves, and floods.
- C. Within three years of the issuance of the Certificate of Occupancy, the Planning Director shall perform a site inspection to verify the health of trees which were retained to meet the requirements of this Article and which may have suffered

damage due to insufficient protective measures during development.

- D. Each required tree that is determined by the Planning Director to be diseased or injured to the extent it is irreparably damaged shall be approved for removal. The burden of proof of the extent of the disease or injury shall rest with the applicant, who must provide documentation from a qualified arborist. Any tree damaged during or as a result of construction shall be repaired to the satisfaction of the Planning Director and in accordance with accepted ANSI A300 or International Society of Arboriculture practices. Tree damage must be repaired prior to issuance of a Certificate of Occupancy.
- E. The owners of a non-exempt property or properties shall be responsible for the maintenance of all required trees. No department or agent of the County of Charleston is in any way responsible for the maintenance of required trees on private property.

## **ARTICLE 9.5 LANDSCAPING, SCREENING AND BUFFERS**

### **§9.5.1 APPLICABILITY**

Unless expressly exempted, the landscaping, screening and buffering standards of this Article shall apply to all new non-residential development and all new major roadways that serve Residential Major Subdivisions (ten or more lots). Minor Subdivisions (those with fewer than ten lots) may be required to provide landscaping, screening or buffering on major roadways when the Planning Director determines that such landscaping, screening or buffering is necessary to ensure that the purposes of this Ordinance are met. When modifications or additions are being made to an existing non-residential building or site, the standards of this Article shall apply to those portions of the subject parcel that are directly affected by the proposed improvements, as determined by the Planning Director, provided that when modifications or additions are proposed that would increase the number of parking spaces, the area of vehicular use areas or gross floor area of buildings by more than 25 percent (above existing), then the entire parcel shall be brought into compliance with all applicable standards of this Article. Before calculating the percentage of area for re-development and improvement, any proposed demolition of structures and parking is subtracted from the existing gross floor area of buildings and number of parking spaces.

### **§9.5.2 EXHIBITS**

Drawings included as exhibits at the end of this Chapter are meant to compliment the language of the Ordinance. In the event of a conflict with the text of the Ordinance, the text shall apply.

### **§9.5.3 PARKING, LOADING AND VEHICULAR USE AREA LANDSCAPING**

#### **A. Parking, Loading and Vehicular Area Perimeters**

Unless otherwise expressly stated, perimeter landscaping shall be required around the outer perimeter of all off-street, surface parking, loading and vehicular use areas. Parking areas for the exclusive use of single family or agricultural uses shall be exempt from these requirements. Any off-street parking, loading or vehicular use area that will be entirely screened from view by an intervening building or structure or by a buffer provided to satisfy the standards of this Chapter shall also be exempt from these (parking, loading and vehicular use Area) perimeter landscaping requirements.

1. A perimeter landscape area at least eight feet in depth shall be provided at the perimeter of all off-street parking, loading and vehicular use areas, except where permitted driveway openings are to be provided. Where drainage or other utility easements exist along property lines, the perimeter landscape area shall be located adjacent to the easement.
2. Required perimeter landscape areas shall be planted in accordance with the following minimum standards:
  - c. One canopy tree shall be provided for each 50 linear feet of parking, loading or vehicular use area perimeter. These trees may be used to satisfy the interior parking lot landscaping requirements.
  - d. A hedge or other landscape material of at least three feet in height (at maturity) shall be planted within the perimeter landscape area to provide a continuous landscape element, or a combination of trees, hedge, other durable landscape material or approved wall, fence or earth berm may be used to form the continuous landscape element;
  - e. All portions of the perimeter landscape area not planted with shrubs or trees or covered by a wall or fence barrier shall be planted in grass or ground cover; and
  - f. Parked vehicles may overhang a landscaped area if curbing or wheel stops are installed to prevent any damage to plants within the required perimeter landscape area. Landscaping, walls, fences and earth berms will be so located as to prevent their damage and/or destruction by overhanging vehicles.

**B. Interior Areas**

The following interior parking lot landscaping requirements shall apply to all parking lots except those exclusively serving single family residential or agricultural uses.

1. A minimum of one landscape island shall be provided for each ten parking spaces within an off-street parking area. Required landscape islands shall have a minimum of 325 square feet, variably dependent upon the species of the canopy tree proposed by the designer. Each parking lot bay must terminate with a tree island.
2. Each required landscaping island shall contain at least one canopy tree and there shall be no more than ten parking spaces in a row between tree islands. Interior parking landscape islands that separate double loaded parking bays shall be a minimum of nine feet wide. Canopy trees planted in these islands must be planted in line with the parking stripes (between vehicles) and may be used to satisfy the parking lot tree requirements, however, all parking lot bays must terminate with a tree island. Example shown in Chapter 9 exhibits.
3. Curbs, wheel stops or other approved protective barriers shall be installed



around all required landscape islands, as approved by the Planning Director.

4. Landscaping provided to meet the right-of-way buffer standards of Section 9.5.4 of this Chapter may not be used to satisfy interior parking lot landscaping requirements. Canopy trees provided to meet perimeter adjacent use buffer landscaping requirements may be counted to satisfy interior parking lot landscaping requirements.

## **§9.5.4 LANDSCAPE BUFFERS**

### **A. Right-of-Way Buffers**

#### **1. Applicability**

Right-of-way buffers shall be required adjacent to road rights-of-way for all uses except for the following: agricultural and residential uses existing on or prior to November 20, 2001. Minor Subdivisions may not have to comply with the requirements of this Section if the Planning Director determines that compliance is not necessary to satisfy the purposes of this Ordinance.

#### **2. Buffer Reductions**

The Planning Director shall be authorized to reduce the depth of a required right-of-way buffer by up to one-third its depth if the following circumstances exist:

- a. The parcel is located on a corner lot with required right-of-way buffers of 35 feet or more; or
- b. The area of all required buffers, including Land Use Buffers and Tree Protection Areas, exceeds 30 percent of the site.

#### **3. Buffer Types by Roadway**

Landscape buffers shall be required along roadways in accordance with the following table. Streets and roads not indicated in the table shall comply with the S2 buffer requirements. Section 9.5.4 of this Chapter describes buffer types and planting requirements.

#### **4. Development Within Buffer Areas**

- a. No development may occur within required buffer areas; with the exception of sidewalks and permitted drives and signs;
- b. All buffer areas shall accommodate required plant material within the buffer;
- c. Drainage swales and stormwater detention ponds may be placed in the buffer only when trees are not endangered and only when they meander through the buffer in a natural manner; and

- d. Stormwater detention ponds may not occupy more than twenty-five percent (25%) of the buffer area.

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Abbapoola Road	S4	Magwood Road	S3
Ashley Hall Road	S1	Main Road (Limehouse Bridge to Maybank Hwy.)	S5
Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard)	S1	Main Road (Bees Ferry Road to Limehouse Bridge)	S4
Hwy. 61/Ashley River Road (Sam Rittenberg Boulevard to Mark Clark Expressway)	S2	Manse Road	S4
Hwy. 61/Ashley River Road (Mark Clark Expressway to Church Creek)	S3	Mark Clark Expressway	S5
Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1]	S5	Mary Ann Point Road	S3
Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line)[1]	S6	Mathis Ferry Road [1]	S4
Bears Bluff Road	S5	Maybank Highway Corridor Overlay District	[2]
Bees Ferry Road	S4	Maybank Highway [James Island]	S1
Belvedere Road	S4	Maybank Hwy (Main Road to Rockville)	S5
Betsy Kerrison Parkway [1]	S5	Meeting Street	S1
Bohicket Road [1]	S5	Murraywood Road	S4
Botany Bay Road	S4	Old Georgetown Road	S4
Brownswood Road	S4	Liberia Road	S4
Abbapoola Road	S4	Old Georgetown Road in the "Loop" area (designated on the Mount Pleasant Overlay map)	S1
Cane Slash Road	S4	Old Jacksonville Road	S4
Chisolm Road	S4	Old Pond Road	S4
Chuck Dawley Boulevard	S1	Old Towne Road	S1
Coleman Boulevard	S1	Orange Grove Road	S1
Doar Road	S4	Orleans Road	S1
Dorchester Road	S1	Parkers Ferry Road	S4
Eddingsville Beach Road	S4	Patton Avenue/Fickling Hill Road	S4
Edenvale Road	S4	Peters Point Road	S4

ROADWAY	BUFFER TYPE	ROADWAY	BUFFER TYPE
Fordham Road	S1	Pine Landing Road	S4
Fort Johnson Road [1]	S3	Plow Ground Road	S4
Hamlin Road	S3	Raccoon Island Road	S4
Harborview Road	S1	Rifle Range Road	S3
Highway 162	S4	River Road [1]	S5
Highway 165	S4	Riverland Drive [1]	S4
Highway 17 (Hwy. 41 to County Line)	S5	Rivers Avenue	S1
Highway 17 (east of Isle of Palms Connector to Hwy. 41, not including Old Georgetown Hwy "Loop" Area)	S4	Rutledge Road	S4
Highway 17 in the Old Georgetown Road "Loop" area (as designated on the Mount Pleasant Overlay map)	S1	Saint Andrews Boulevard	S1
Highway 17 (west of the Isle of Palms Connector including bypass)	S1	Savannah Highway [Bees Ferry Rd. to County Line] otherwise S2	S3
Highway 174 (Highway 164 to Edisto Beach) [1]	S5	Seewee Road	S4
Highway 174 (Highway 17 to Highway 164)	S3	South Santee Road	S4
Highway 41	S4	Steamboat Landing Road (Jenkins Hill Rd to Steamboat Creek)	S4
Highway 45	S4	Tibwin Road	S4
Humbert Road	S3	Toogoodoo Road	S4
James Island Bridge/Highway 61 Connector	S3	Venning Road	S3
James Island Expressway	S4	Wappoo Road	S1
Liberia Road	S4	Wescott Road	S4
Long Point Road (SPA Wando Terminal to I-526)	S1	Willtown Road	S4
Long Point Road (Outside of MP-O district) [1]	S4		

[1] Denotes Scenic Road designation that shall require protection under the provisions of this Ordinance of all trees 6 inches or greater in diameter breast height (DBH) which are located within rights-of-way.

[2] S6 for industrial use; S5 all other uses.

## 5. Buffer Depth and Planting Standards

STANDARD	BUFFER TYPE					
	S1	S2	S3	S4	S5	S6
MIN. BUFFER DEPTH (ft from right-of-way)[1]	15	20	35	50	75	100
<b>MINIMUM BUFFER LANDSCAPING</b> (Plants per 100 linear feet)[2][3]						
Canopy Trees[4]	2	2	4	6	9	12
Understory Trees (at least 50 percent evergreen)	3	4	6	9	12	15
Shrubs	25	30	40	50	60	75
Street Trees (may be counted toward canopy tree req.)[5]	2	2	2	2	2	NA

All trees with a diameter breast height (DBH) of 6 inches or greater within buffers shall be preserved.

[1] Buffers may be traversed by permitted driveways and pedestrian ways.

[2] The retention of natural buffers shall be required along all road or street rights-of-way of S3 designation or greater. The Planning Director shall be authorized to waive/modify minimum buffer planting requirements when an undisturbed natural buffer exists that is the same depth and amount of plant material as that which is required.

[3] Bradford Pears cannot be used to fulfill any of the tree requirements of this Ordinance. Any exotic species which are proposed by the designer are subject to approval of the Planning Director.

[4] When existing overhead utility lines are located such that they may pose interference with required canopy trees, Palmetto trees may be substituted to fulfill the canopy tree requirements. These trees are to be planted at a ratio of three Palmetto trees to one canopy tree and are to be planted in groupings of three.

[5] Street trees are trees planted in rights-of-way for the purpose of fulfilling these requirements. Any planting in rights-of-way must be approved by party(ies) authorized to grant encroachment.

Note: The Planning Director shall be authorized to require the installation of berms within required buffers where deemed necessary to protect the visual quality of a road corridor or ensure land use compatibility.

### B. Land Use Buffers

#### 1. Applicability

Land use buffers shall be provided in accordance with the standards of this Section, provided that the Planning Director shall be authorized to modify or waive buffer or landscape planting requirements if it is determined that:

- a. Buffers will not serve any useful purpose due to the fact that fences, walls, berms, or landscaping of at least equivalent height, opacity, and maintenance already exist on the adjacent parcel;
- b. Buffers will not serve any useful purpose due to the location of uses, vehicles, buildings, structures, or storage, loading, display or service areas; or

- c. The area of required buffers would exceed 25 percent of the site proposed for development.

When landscape buffer requirements are modified or waived, the Planning Director may require that additional plant material be added within remaining buffers or elsewhere on the site.

**2. Exemptions**

Single family development on individual lots shall be exempt from the land use buffer requirements of this Section.

**3. Determination of Required Buffers**

The following procedure shall be used in determining which of the buffer types in the Land Use Buffer Table (Section 9.5.4.B.4) of this Chapter apply:

- a. Determine the type of use proposed for the site that is being developed. This is the "Proposed Use" (Column 1);
- b. Determine the residential use type that exists on the adjacent parcel (if residential) or the zoning district classification that applies to the adjacent parcel. This is the "Adjacent Site's Use or Zoning";
- c. Identify the type of landscape buffer required along the developing site's boundary (A, B, C, D, E, or F);
- d. Refer to Section 9.5.4.B.5 of this Chapter to identify the buffer depth and landscaping standards for the required buffer type.

**4. Land Use Buffer Table**

Land Use Buffers shall be provided along side and rear yards in accordance with the following minimum requirements:

Proposed Use	Use or Zoning of Adjacent Site											
	Residential Type			Zoning District								Agricultural Use
	1	2	3	R [1]	OR	OG	CN	CT	CR	CC	I	
Residential Type 1	-	A	B	-	A	B	B	B	B	C	D	F
Residential Type 2	A	-	A	-	A	B	B	B	B	C	D	F
Residential Type 3	B	A	-	-	A	A	B	B	B	C	D	F
Civic/Institutional	B	B	A	A	-	-	-	-	-	-	-	-
Commercial Type 1	B	B	B	B	-	-	-	-	-	-	-	-
Commercial Type 2	C	C	C	C	C	B	B	-	-	-	-	-
Industrial Type 1	E	E	D	D	D	D	C	C	C	B	-	-
Industrial Type 2	F	F	F	F	E	E	D	C	C	C	A	-

**[1] Applies to undeveloped (vacant) R and AGR zoned property.**

**Residential Use Types:** Type 1 = Single family Detached; Type 2 = Duplex and Single family Attached; Type 3 = Multi-Family and all other residential use types, including manufactured housing parks.

**Commercial Use Types:** Type 1 = Any commercial use allowed by right in an OR, OG or CN district; Type 2 = all other commercial uses that are allowed in commercial (c) zoning districts (commercial uses are those listed in the "Commercial" rows of Use Table 6.1-(1))

**Industrial Use Types:** Type 1 = Any industrial or commercial use that is first allowed in an industrial (I) zoning district; Type 2 = Waste-Related uses, Resource Extraction uses and Recycling Centers.

## 5. Buffer Depth and Landscaping Standards

Standard	Buffer Type					
	A	B	C	D	E	F
<b>MINIMUM BUFFER DEPTH</b> (feet from property line)	10	15	25	40	60	100
<b>MINIMUM LAND USE BUFFER LANDSCAPING</b> (Plants per 100 linear feet)[1][2]						
Canopy Trees	2	3	3	5	7	9
Understory Trees (at least 50 percent evergreen)	3	4	4	7	9	11
Shrubs	20	20	25	30	40	50

[1] The Planning Director shall be authorized to require the installation of fences, walls or berms within required buffers where deemed necessary to ensure land use compatibility or otherwise protect the visual quality of an area.

[2] All trees with a diameter breast height (DBH) of 8 inches or greater within buffers shall be preserved.

## **C. General**

### **1. Location of Buffers**

Buffers shall be located along the perimeter of a lot or parcel and shall extend to the boundary of the lot parcel. They shall not be located on any portion of public right-of-way. Where drainage or other utility easements exist along property lines, required landscape buffers shall be located adjacent to the easement and may be reduced in width by the width of the easement, but in no case shall the buffer width be less than ten feet. Required buffers shall be noted on all plats, plans and permit requests submitted for review and approval under this Ordinance.

### **2. Use of Buffers**

The Planning Director shall be authorized to allow on-premises signs, fences, walls, berms, mailboxes, access to community boat ramps, permitted driveways, and sidewalks within required buffers. Other improvements may be allowed within buffers if the Planning Director determines that such improvements will not detract from the intended purpose and function of the buffer or have any adverse affect on adjacent property.

## **§9.5.5 Landscape Plans**

Landscape and Planting Plans submitted to meet the requirements of the Ordinance are to be drawn to the same scale as the Site Plan depicting proposed shrubs and trees at maturity. It is strongly encouraged that all Landscape Plans be prepared by a licensed registered Landscape Architect or Landscape Designer familiar with the growth habits and characteristics of plant material available in the Charleston area. Landscape Plans shall be prepared by a licensed, registered Landscape Architect whenever the area of land disturbance or development activity exceeds one acre or when the total area of proposed building footprint exceeds 5,000 square feet.

## **§9.5.6 Landscape Material Standards**

Landscape and plant material used to satisfy the standards of this Ordinance shall comply with the minimum standards of this Section.

### **A. Plant Material**

#### **1. Existing Plant Material**

Vegetation and plant material that exists on a parcel prior to its development may be used to satisfy the landscaping standards of this Section provided that it meets the size and locational requirements of this Article.

#### **2. Size**

Unless otherwise expressly stated, all plant materials used to satisfy the requirements of this Ordinance shall meet the following minimum size standards:



PLANT TYPE	MINIMUM SIZE
Canopy Tree	2 1/2 inches caliper and 12 feet in height
Understory/Ornamental Tree	8 feet (height)
Evergreen/Conifer Tree	5 feet (height)
Shrubs	3 gallon and 18" to 24" in height or spread

Note: At least 50 percent of required understory trees shall be evergreens. Any plant material that grows to an ultimate height of less than 18 inches shall be considered a groundcover and cannot be used to fulfill any of the shrub requirements of this Ordinance.

### 3. Species

Species of plant material used to satisfy the requirements of this Section shall be indigenous to the Charleston County area or are cultivated to survive in the climate of this area. No single plant species shall represent more than 40 percent of total landscape plantings, except for projects whose landscape requirements for canopy trees are lower than ten.

### 4. Quality

Plants installed to satisfy the requirements of this Section shall meet or exceed the plant quality standards of the most recent edition of American Standard for Nursery Stock, published by the American Association of Nurserymen. Plants shall be nursery-grown and balled and burlapped or container-grown.

### 5. Additional Landscape Treatment

All required landscape areas, including drainageways and detention/retention ponds, and buffers not dedicated to trees, shrubs or preservation of existing vegetation shall be landscaped with grass, ground cover, or other landscape treatment, not including sand, rock or pavement. All grass areas are to be installed using proper and accepted landscape methods to assure germination and erosion control.

## B. Berms and Landscape Structures

Berms and landscape structures shall comply with the following minimum standards.

### 1. Fences and Walls

Fences and walls used as a screen shall be at least 95 percent opaque, with a minimum height of six feet.

### 2. Berms

Earthen berms shall have a minimum height of three feet, with a slope not to exceed 3:1, variable dependent upon the plant materials and soil type used. The toe of any berm shall be located at least three feet from the ultimate right-of-way or property line

**§9.5.7 Installation, Maintenance and Replacement****A. Installation**

All landscaping shall be installed according to American Association of Nurserymen Standards and sound nursery practices in a manner designed to encourage vigorous growth. Sites for plant material shall be prepared or improved in accordance with American Association of Nurserymen Standards for soil preparation and drainage. Subsurface drainage shall be provided where berms, elevated planting areas or other suitable means for providing proper drainage do not exist.

**B. Irrigation**

The Planning Director shall be authorized to require the installation of automatic irrigation (sprinkler) systems when deemed necessary to ensure plant survival and proper growth.

**C. Maintenance and Replacement**

Required trees, shrubs, walls and other landscape features shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the plan. The land owner, or successors in interest, shall be jointly and severally responsible for the following:

1. Regular maintenance of all landscaping in good condition and in a way that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, as needed and in accordance with acceptable horticultural practices, including ANSI standards for Tree Care Operations and American Association of Nurserymen Standards;
2. The repair or replacement of required landscape structures (e.g., fences) to a structurally sound condition;
3. The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this Section; and
4. Continuous maintenance of the site as a whole

When replacement of trees, plant material or other landscape features is required, such replacement shall be accomplished within one growing season, one year or such time-frame as required by the Planning Director, whichever is shorter.

**ARTICLE 9.6 ARCHITECTURAL AND LANDSCAPE DESIGN STANDARDS****§9.6.1 PURPOSE**

The purpose of these standards is to promote attractive, well-designed development that is built to human scale; to promote and protect the appearance, character and economic value of new development; to encourage creativity in new development (as opposed to homogeneity or "look-alike" projects); and to foster attractive streetscapes and pedestrian environments, while accommodating safe vehicular movement and access.

**§9.6.2 APPLICABILITY**

These standards shall apply to all developments that are subject to Site Plan Review. (See Article 3.7)

**§9.6.3 ARCHITECTURAL DESIGN GUIDELINES**

The intent of the Architectural Design Guidelines is to assure respect for the character, integrity, and quality of the built and natural environments of the county; it is not intended to stifle innovative architecture. The following criteria shall be used in evaluating applications:

**A. General Design**

1. Single, large building masses shall be avoided. Structures with walls of more than 1,500 square feet should incorporate fascias, canopies, arcades, building setbacks of three feet or more or other multidimensional design features to break up large wall surfaces on their street facing elevations. Wall surfaces shall be visually divided by such features into areas of 750 square feet or less.
2. All elevations of a structure shall be in harmony, one with another, in terms of scale, proportion, detail, material, color, and high design quality.
3. The side and rear elevations of buildings shall be as visually attractive as the front elevation, especially where those side or rear elevations are most often viewed by the public. Rooflines and architectural detailing shall present a consistency in quality design.
4. All structures within a proposed development, including gasoline canopies, shall utilize a uniform architectural theme and shall be designed to create a harmonious whole. It is not to be inferred that buildings must look alike to achieve a harmony of style. Harmony of style can be created through property considerations of scale, proportion, detail, materials, color, site planning, and landscaping.
5. The scale of buildings and accessory structures (including canopies) shall be appropriate to the scale of structures located in the surrounding area. Canopies designed as domineering or overpowering architectural features are strongly discouraged.
6. Long, monotonous facade design, including, but not limited to, those characterized by unrelieved repetition of shape or form, or by unbroken extension of line, shall not be permitted.

7. The architectural design and material finish of buildings, signage, gasoline pump canopies, and other necessary structures shall be compatible with one another and with adjacent and surrounding structures where such structures are substantially in compliance with these requirements.
8. Structures which are of symbolic design for reasons of advertising shall not be permitted. A symbol or symbols attached to a building shall not be allowed unless it is secondary in appearance to the structure and landscape, and is an aesthetic asset to the building and surrounding area.
9. The location and dimension of wall signs shall be indicated upon the architectural elevations of proposed structures and shall maintain compatibility with the architectural features of the structure.

**B. Building Materials**

1. Concrete finishes or precast concrete panels (tilt wall) that are not exposed aggregate, hammered, sandblasted or covered with a cement-based acrylic coating shall be prohibited as an exterior building material along any building elevation visible from public rights-of-way.
2. Unpainted or bare metal panels, regardless of depth or thickness, shall be prohibited as an exterior building material.
3. Corrugated or sheet metal, except stainless steel, copper, or galvanized metal shall be prohibited as an exterior building material along any building elevation visible from public rights-of-way.
4. Mirrored glass with a reflectance greater than 40 percent shall be prohibited from covering more than 40 percent of the exterior walls of any building.
5. Materials shall express their function clearly and honestly and shall not appear as materials which are foreign to the character of the rest of the building.
6. Any building exterior elevation shall consist of architectural materials which are equal in quality, appearance, and detail to all other exterior elevations of the same structure. Nothing in this Section shall preclude the use of different materials on different exterior elevations of the same structure so long as those materials maintain the architectural unity and integrity of the entire structure.
7. Shingles, metal standing seam, tile, or other roofing materials with similar appropriate texture and appearance shall be utilized. Flat roofs will not be discouraged where they are appropriate to the design theme of a structure.

**C. Building Color**

1. Color shades shall be used to unify the development.
2. Color combinations of paints shall be complimentary complementary. In no case shall garish colors be permitted. In general, no more than three different colors per building shall be allowed.

**D. Multiple-Building Developments**

Each individual building within a development shall feature predominant characteristics including, but not limited to, consistent rooflines, use of compatible proportions in building mass and outdoor spaces, complementary relationships to the street, similar window and door patterns, and the use of complementary building materials in terms of color, shades, and textures. Monotony of identically designed multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. The use of different textures, shadow lines and contrasting shapes may also be used to provide visual interest.

**E. Building Orientation**

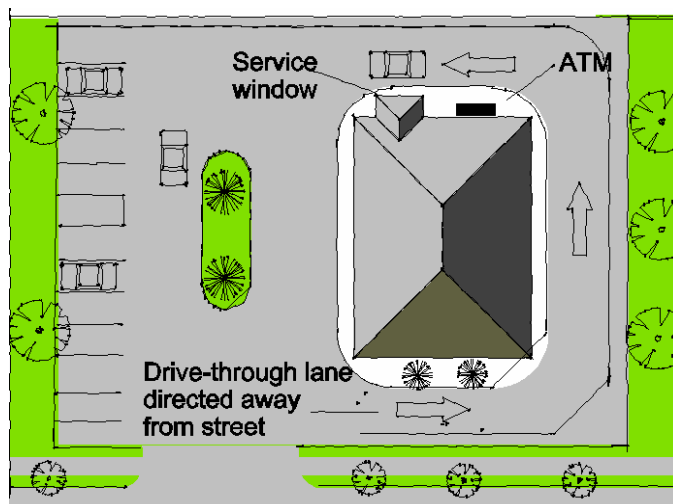
1. To the maximum extent feasible, primary facades and entries should face the adjacent street. Except in industrial districts, a main entrance shall face the adjacent street or a connecting walkway with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or cross driveways.
2. Where it is reasonably practical, proposed structures shall not impede scenic rural views from the main road, from existing structures, or from natural settings.
3. Structures shall be oriented so that loading areas are in no manner visible from Residential districts, from existing rights-of-way or from planned future public rights-of-way. Loading areas may be oriented toward adjoining developed properties which are commercially zoned or toward adjoining properties eligible for future commercial development if and only if they are entirely screened from view by the use of fencing which is compatible with the overall architectural scheme of the project and/or are appropriately landscaped.
4. All corner developments shall have buildings located close to the corner with majority of parking to the side and rear.
5. All buildings shall be sited so that a direct relationship with the primary street is established. The architecture, landscaping and building siting must work in concert to create a unified appearance.
6. Gas Stations.  
Buildings shall be sited so that gasoline pump dispensers are located to the side of the building or located behind the buildings so that the building is between the pumps and the primary street frontage. If located on a

corner lot, the building would have to be situated in the corner of the lot at the intersection.

**F. Mechanical Equipment and Trash Receptacle Screening**

Locations of all mechanical equipment and dumpsters shall be shown on all site plans. All mechanical equipment and trash receptacles shall be shielded and screened from public view. Mechanical equipment shall be shielded with walls, fencing or landscaping that screens the equipment entirely. Dumpsters shall be screened with a minimum 6-foot opaque fence or wall on all four sides and located toward the side or rear of the principle structure.

- G.** All order boxes, menu stands, pickup windows, service/teller windows, and required vehicle stacking associated with drive thru services shall be located to the side or rear of buildings. For the purpose of this Section, the side or rear shall mean the area behind a projected line running parallel from the front (street facing) side(s) of the structure to the side property lines. This concept is depicted in the graphic below:



**§9.6.4 LANDSCAPING DESIGN GUIDELINES**

The purpose and intent of Landscaping Design Guidelines is to reduce the visibility of paved areas from adjacent properties and streets, moderate climatic effects, minimize noise and glare, and enhance public safety by defining spaces to influence traffic movement. Landscaping will reduce the amount of stormwater runoff and provide transition between neighboring properties. The following criteria shall be used in evaluating applications:

**A. General Design**

1. Landscaping shall be required between buildings and sidewalks, and parking lots and driveways. The scale of the proposed landscaping shall be in proportion to the building.
2. Landscaping does not only include trees and plantings but also paving, benches, fountains, exterior lighting fixtures, fences, and any other item of exterior furniture. All items of the landscape are to be selected not only

for their functional value but [also] for their aesthetic value and must compliment [complement] the whole.

3. All utility lines in the suburban areas such as electric, telephone, CATV, or other similar lines serving individual sites as well as all utility lines necessary within the property shall be placed underground. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters should be shown on the site plan. The necessity for utility connections, meter boxes, and the like, should be recognized and integrated with the architectural elements of the site plan. All properties shall comply with the County's Right-of-Way Management Ordinance where applicable.
4. Ease of pedestrian access between proposed developments and adjacent developments shall be a required consideration in the development of a proposed project's site and circulation plans.

#### **B. Parking/Drives**

1. Parking areas and driveways shall be paved with material which is appropriate to the comprehensive design scheme of the project and to the intensity of use to which parking areas and driveways will be subject.
2. Buildings shall be sited so that the majority of parking is located to the side and rear of the building. The placement of the major portion of a proposed development's parking area to the rear of a main structure's corridor facade, or within a courtyard surrounded on three sides by a proposed structure, is strongly encouraged. The rationale for this guideline is to promote good proportional spatial definition for the corridors to be accomplished through a reduction in the distance required for a building's setback.
3. Drive-through access shall be integrally designed with the building and not dominate the design. Only single lane drive-throughs are allowed. Multi-lane drive-throughs are only allowed for banks (or similar financial institutions), post offices or utilities.

#### **C. Site Lighting**

Site lighting shall be from a concealed light source fixture and shall not interfere with the vision of vehicular traffic. A lighting plan with photo-metrics shall be stamped and signed by a registered professional engineer and comply with the following criteria:

1. Maximum average foot-candles shall not exceed 5 foot candles as depicted on photometric plans with a maximum not to exceed 12 foot candles close to light sources. Maximum foot candles under gasoline canopies and outdoor sales lots shall not exceed 30 foot candles.
2. All exterior lights shall be arranged and installed so that the direct or reflected illumination does not exceed one-half foot candle above the

background measured at the lot line of any adjoining residential or agricultural parcel and public right-of-way.

3. Lighting shall enhance the overall aesthetics of the site.
4. Security lighting shall be provided, particularly at pedestrian walkways.
5. Lighting shall be integrated with architectural design of the buildings.
6. Light sources (light bulbs) shall not be visible. They shall be shielded to reflect down onto the ground and not out onto the streets or neighboring property.

**ARTICLE 9.7 WETLANDS, WATERWAYS AND OCRM CRITICAL LINE**

**§9.7.1 WETLAND BUFFERS AND SETBACKS**

**A. Intent**

The buffer standards of this Article are intended to provide a natural vegetated area between the furthestmost projection of a structure, parking or driveway area, or any other building elements, and all saltwater wetlands, waterways and OCRM (saltwater) critical lines. The purpose of these required buffers is to provide a visual, spatial, and ecological transition zone between development and the County's saltwater wetlands and waterways, and to protect water quality and wildlife habitat.

**B. Wetland, Waterway and OCRM Critical Line Buffer Depth and Setbacks**

**1. Standards**

The following minimum wetland/waterway buffers/setbacks shall be required:

Minimum Buffers/Setbacks (feet)	RM	AG-15	AG-10	AG-8	AGR	RR-3	S-1	S-2	S-3	R-2	R-3	R-4	M-8	M-12
OCRM Critical Line Buffer	35	35	35	35	35	35	35	15	15	15	15	15	15	15
Setback from OCRM Critical Line	50	50	50	50	50	50	50	35	35	35	35	35	35	35

Minimum Buffers/Setbacks (feet)	MHS	MHP	OR	OG	CT	CN	CR	CC	I
OCRM Critical Line Buffer	15	15	35	35	35	35	35	35	35
Setback from OCRM Critical Line	35	35	50	50	50	50	50	50	50

**2. Reduction of OCRM Critical Line Setbacks**

The Planning Director shall be authorized to reduce OCRM Critical Line setbacks to a distance not less than the buffer depth, when deemed



necessary by the Director to accommodate reasonable development of the parcel and when it is determined by the Director that the setback reduction will not have a significant adverse impact on public health or safety.

**3. Reduction of Buffers and Setbacks on Parcels Created Prior to April 21, 1999**

When the application of buffer/setback requirements contained within this Ordinance render a parcel that existed prior to April 21, 1999, unbuildable, the Planning Director shall be authorized to reduce front, side and rear yard buffers/setbacks as necessary to make a parcel buildable. The Planning Director cannot reduce any front and/or rear yard buffer in an amount which would result in the placement of a structure closer to either the front or rear property line than any structure on an adjacent property. Any further reduction in any required buffer shall be made by appeal to the Board of Zoning Appeals.

**C. Measurement**

Required OCRM critical line buffers and setbacks shall be measured from the OCRM critical line, whether the critical line or wetland/waterway is located on, adjacent to, or near the subject parcel.

**D. Lot Width**

The minimum lot width standards of the underlying zoning district shall apply at the required buffer or setback line.

**§9.7.2 PROHIBITED ACTIVITIES**

The following activities are specifically prohibited in a buffer area:

- A. Removal excavation, or disturbance of the soil, except for minimal disturbance associated with the planting of shrubs or trees for landscaping;
- B. Grassed lawns requiring regular maintenance such as herbicides; pesticides, fertilizers and frequent mowing;
- C. Gardens, fences, or structures, except for permitted crossings;
- D. Paved or other impervious surfaces; and
- E. Destruction or addition of plant life which would alter the existing pattern of vegetation.

**ARTICLE 9.8 HISTORIC PRESERVATION****§9.8.1 INTENT**

The standards of this Section are intended to safeguard the integrity of historic structures, sites, and their context, and to protect public views of these resources along public rights-of-way.

**§9.8.2 APPLICABILITY**

The standards of this Section shall apply to all sites (existing and future) listed on the National Register of Historic Places.

**§9.8.3 DEMOLITION**

No demolition of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance.

**§9.8.4 MOVING**

No relocation of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance. Relocation should not be considered, except as a final alternative to demolition.

**§9.8.5 NEW CONSTRUCTION; EXTERIOR ALTERATIONS**

No new construction located on a historic structure or site or significant exterior alteration of a historic structure or site may occur until a Special Exception has been approved in accordance with the provisions of this Ordinance. The applicant must demonstrate that all proposed renovations are consistent with the National Register of Historic Places (NRHP) such that the structure shall remain listed on the NRHP following the completion of the proposed new construction and exterior alterations.

**§9.8.6 NEARBY DEVELOPMENT**

Subdivision plats for multi-family, manufactured housing park, office, commercial, or industrial development or residential subdivisions proposed to be located within 300 feet of a historic structure or site should be reviewed to determine their impact on the historic site. The Planning Director shall require that potential negative impacts be minimized through the location of vehicular access points, screening/buffering and other site design tools.

**ARTICLE 9.9 TRAFFIC IMPACT STUDIES****§9.9.1 APPLICABILITY**

A traffic impact study shall be required with applications for zoning map amendments, preliminary plats and planned developments that are projected to generate 100 or more peak hour vehicle trips, based on trip generation rates from the latest edition of the Institute of Transportation Engineers Trip Generation manual. The Planning or Public Works Director shall also be authorized to require traffic impact studies when it is determined that a proposed development is likely to have a significant impact on transportation capacity, transportation levels of service or traffic safety in the vicinity of the proposed development.

### §9.9.2 STUDY SCOPE

When a traffic impact study is required, the type and scope of the study shall be determined during a scoping meeting with the Planning and Public Works Directors. The meeting may also involve representatives of or request assessments from other agencies and departments. The elements to be determined during the scoping session shall include:

- A. Type of Study**  
The possible types of reports include: a letter report, full traffic impact analysis report or special report (e.g., sight distance survey).
- B. Definition of Impact Area**  
The points of access and key streets and intersections that may be affected by development of the subject tract constitute the impact area. Traffic recorder and turning movement assessment locations shall be determined.
- C. Period of Analysis**  
Periods of analysis may include: daily traffic, a.m., p.m. or weekend peak hour.
- D. Analysis Scenarios**  
Scenarios for analysis include: existing conditions, opening year conditions with and without development, and 10 years after opening with and without development.
- E. Process**  
Process for determining trip generation and distribution including: trip generation category, diversion assumptions and distribution assumptions.
- F. Growth Rate Assumption**  
The rate of growth assumed in background traffic assumptions.
- G. Pipeline Development**  
Developments in the area that have been approved or are under review.

### §9.9.3 TRAFFIC STUDY ELEMENTS

A letter report or special report shall include those elements agreed upon in the scoping meeting. A full traffic impact study shall include the following elements:

- A. Existing Condition Survey**
  - 1. Street System Description**  
The street system shall be described including geometric features, lane usage, traffic control, signage, sight distances and adjacent uses and curb cuts.
  - 2. Traffic Volumes**  
Existing traffic volumes shall be provided for the impact area including both AADT (Average Annual Daily Traffic) and "Design" peak hour volumes. AADT may be derived from current counts of the South Carolina Department of Transportation (if available) and peak hour volumes shall be done from field counts. Data shall be adjusted for daily and seasonal

variations. Turning movement counts for the peak hour shall be provided for critical intersections. Peak hour periods shall be as determined at the scoping meeting.

**3. Capacity Analysis**

Existing capacity of signalized and unsignalized intersections.

**4. Other**

Other items may be required at the discretion of the Public Works Director depending upon the type and scale of the project. These may include but are not limited to: queue length analysis, pedestrian counts, accident data, traffic speeds (both 50th and 85th percentile), and stopping sight distances.

**B. Future without Development**

Capacity analysis is to be provided for opening year and plus ten-year for key intersections (and roadway segments where appropriate) without the development but including any planned developments. The analysis shall be based upon the Highway Capacity Manual or other methodologies approved in advance by the Public Works Director.

**C. Future with Development**

1. Projections of the daily and peak hour traffic generation of the project shall be made using the latest edition of the Institute of Transportation Engineers Trip Generation manual unless the Public Works Director determines that locally derived data will provide more accurate forecasts. Data from similar facilities may be used where the information is not available from the Institute of Transportation Engineers.
2. The projected trips shall be distributed onto the road network as agreed in the scoping meeting.
3. Capacity analysis for opening year and plus ten-year for key intersections (and roadway segments where appropriate).
4. Special analysis as may be required to determine warrants for signalization, minimum safe sight distances, gap analysis, turning radius requirements, queue length analysis, turning lane length analysis, curb cut locations or similar requirements.

**D. Mitigation Plan**

Where the analysis indicates that the project will create deficiencies in the impact area, improvements shall be recommended which shall include projected cost estimates. The design of improvements shall be in accordance with specifications of the Public Works Director and, where appropriate, the South Carolina Department of Transportation. Where a Decision-Making Body determines that a mitigation plan is not adequate to address the traffic impacts of the project, it may serve as a basis for denial of the rezoning, preliminary plat or planned development request.

**E. Consultants**

The Public Works Director may require that a mutually agreed upon independent consultant be hired by the County to perform required traffic impact studies or to review all or part of a study prepared by the applicant's consultants. The Public Works Director is authorized to administer the contracts for such consultants.

1. The Public Works Director shall determine the scope of services to be performed by the independent consultant and receive a cost estimate of such services.
2. The applicant shall provide an amount equal to the estimate to the Public Works Director, who will deposit the amount in an escrow or special account set up for this purpose. Any funds not used for the independent consultant shall be returned to the applicant in a timely manner without interest.
3. The Public Works Director may require additional fees for the independent review if: the Decision-Making Body expands the scope of the required review; the applicant substantially amends the application; additional meetings involving the consultants are requested by the applicant; the consultant's appearance is requested at Planning Commission or County Council meetings beyond what was initially anticipated; or the consultant's attendance is required at meetings with regional, state, or federal agencies or boards which were not anticipated in the earlier scope of services.

**ARTICLE 9.10 VISION CLEARANCE****§9.10.1 MAJOR ROADWAYS**

Corner lots on major roadways shall have no structure or obstruction that obscures travel vision from 30 inches to ten feet above ground level in a triangular area formed by measuring from the point of intersection of the front and side lot lines a distance of 40 feet along the lot lines and connecting the points to form a triangle.

**§9.10.2 COLLECTOR STREETS**

On Collector Streets, the triangular area formed by measuring from the point of intersection of the front and side lot lines is 30 feet.

**§9.10.3 SUB-COLLECTOR STREETS**

On Sub-Collector Streets, the triangular area formed by measuring from the point of intersection of the front and side lot lines is 20 feet.

**§9.10.4 PRIVATE DRIVES AND PRIVATE LANES**

On private driveways of commercial or industrial activities, the triangular area formed by measuring from the point of intersection of the drive edge is 15 feet.

**ARTICLE 9.11 SIGNS****§9.11.1 GENERAL PROVISIONS****A. Purpose**

This Article provides comprehensive regulations for signage in Charleston County designed to promote public safety and welfare by reducing visual clutter along highways, facilitating the efficient transfer of information, and thus enhancing traffic flow and the ability to locate needed goods and services.

**B. Administration and Enforcement****1. Non-Commercial Copy**

Any sign authorized in this Section is allowed to contain non-commercial copy in lieu of any other copy. Non-commercial on-premises signs are permitted in any zoning district provided that such signs comply with the regulations of that district.

**2. Building and Electrical Code Standards**

All permanent signs must meet the structural and installation standards of the Standard Building Code and electrical standards of the National Electrical Code as enforced by the Charleston County Building Inspection Services Director

**3. Permit Required**

No signs, except real estate signs shall be erected unless a zoning permit has been issued by the Planning Director in accordance with the procedures of this Ordinance.

**4. Fees**

An applicant for a zoning permit shall pay such fees as determined necessary for application processing. These fees are due upon submission of an application and shall be determined by County Council.

**5. Permits**

A permanent tag shall be attached to every installed sign. The tag shall remain the property of Charleston County and shall not be removed without the Planning Director's approval.

**6. Documentation of Signs**

Upon request, the owner of any existing sign shall provide the Charleston County Planning Director with evidence that documents the size, location and date of construction of all existing signs on the premises.

**C. Prohibited Signs**

The following signs shall be prohibited:

1. Flashing Sign;
2. Pennants, Streamers, and other Animated Signs;
3. Signs Imitating Traffic Devices (Signal);
4. Signs Imitating Traffic Signs;
5. Signs in Marshes;
6. Signs in Right-of-Way;
7. Snipe Sign;
8. Vehicle Sign;
9. Roof Sign;
10. Banners; and
11. Sandwich Signs.

**D. House Numbers**

All permanent, free-standing, On-Premises signs shall contain house numbers containing number at least four inches in height. The area devoted to required house numbers shall not be included in the calculation of maximum sign area.

**E. Illumination**

All lighted On-Premises signs shall comply with all dimensional standards set forth in this Ordinance. Additionally, all internally illuminated signs on property not adjacent to commercial or industrial uses shall have an opaque background on the sign face with a maximum of 80 watts per bulb and no more than one bulb per foot in height of the sign face.

**F. Signs in Disrepair**

Signs in disrepair shall be repaired, renovated, or removed from the premises within 60 days following notice by Planning Director.

**G. Abandoned Signs**

Signs advertising a person, business, service, event or other activity that is no longer available or other signs that contain inaccurate or outdated information shall be considered abandoned. Remedial action shall be taken within 30 days after a sign becomes abandoned. If no remedial action is taken, the Planning Director shall give notice to the owner of record who shall have 30 days to remove the sign prior to any further enforcement action being pursued. This provision shall apply to all abandoned signs, including those abandoned before April 21, 1999.

**H. Signs Interfering with Vehicular Vision**

1. In the area near the entrance of a driveway, no sign shall obscure the travel vision from 30 inches to ten feet above ground level in triangular areas formed by measuring from the point of intersection of any front lot line and driveway, a distance of 15 feet along the front lot line and driveway and connecting the points to form a triangle.
2. No sign or structure shall be erected so as to interfere with the vision of vehicles operated along any highway, street, road or driveway, or at any

intersection of any street, highway or road with a railroad track. Signs determined by the Planning Director to be in violation shall be removed or relocated immediately upon notice.

## **§9.11.2 ON-PREMISES SIGNS**

### **A. Free-Standing Signs**

1. Maximum size, height, width, length, number of sign faces, number of signs per establishment and required minimum height and setbacks are based upon establishment size and shall conform with Table 9.11.2-A.
2. A maximum of one reader board shall be allowed per zoning lot for single or multi-tenant structures containing office, commercial, or industrial uses if attached to permanent free-standing signs. The area of the reader board shall be included in the site's total sign area allowance.
3. All new free-standing signs are to be designed as monument signs, pedestal style signs or pole mounted signs.
4. All pedestal style signs shall have a pole skirt.
5. The predominate materials used for free-standing signs, excluding copy material or materials not visible from the public right-of-way, must incorporate the following:
  - a. If the predominate building materials colors and design elements on the principal building conform to Section 9.6.3B. of this Ordinance, the exterior sign materials must compliment those found on the principal structure as reviewed and approved through the site plan review process. Materials, design and color of the sign do not need to be the same as those found on the principle structure to be considered complimentary.
6. Signs that are located in parking lots (such as directional signs) may be internally lit when constructed with routed letters or an opaque background.
7. The hanging or attachment of objects is not permitted unless they are shown on the drawings approved for sign construction and meet all the requirements of this Ordinance.
8. When calculating the sign area of a "monument sign", "pedestal sign", or "pole sign", the internal structural framework supporting the sign or other solid structural features (not containing copy or any graphic, word, symbol, insignia, text sample, model, device, or combination thereof which is primarily intended to advertise, identify or notify, exclusive of a frame or border) shall not be used in the calculation of the maximum area of the sign. Signs may be mounted on a base or foundation that will not be included in the square footage; however, the base for monument signs must be as wide as the sign.



**B. Wall/Facade Signs**

1. A maximum of two signs shall be allowed per wall/facade, with a maximum of four per building. Total area of all signs shall not exceed square footage of Table 9.11.2-B.
2. Maximum size of wall/facade signs is dependent upon building frontage and setback, in accordance with Table 9.11.2-B.
3. The hanging or attachment of objects is not permitted unless they are shown on the drawings approved for sign construction and meet all the requirements of this Ordinance.
4. Awning Signs
  - a. The use of awnings for the purpose of providing signage will be considered a wall sign. The awning signage must meet all dimensional and intensity standards applicable to wall signs in this Article.
  - b. For purposes of the subsection, an awning sign is a sign used for the purpose of providing signage and must be located above a display window or entryway.
  - c. Text or graphic shall be limited to the face of an awning.

**TABLE 9.11.2-A  
FREE-STANDING ON-PREMISES SIGNS**

ZONING DISTRICT													
Requirement [1] [2]	Agricultural	Residential	Non-Residential										
Maximum Area (sq. ft.)	10 (32 with Special Exception)	10	<table border="0"> <tr> <td><u>Bldg. Size (sq. ft.)</u></td> <td><u>Sign Size</u></td> </tr> <tr> <td>0 sq. ft. to 2,500 sq. ft.</td> <td>= 50</td> </tr> <tr> <td>2,500 sq. ft. to 25,000 sq. ft.</td> <td>= 100</td> </tr> <tr> <td>25,000 sq. ft. to 100,000 sq. ft.</td> <td>= 150</td> </tr> <tr> <td>100,000 sq. ft. +</td> <td>= 200</td> </tr> </table>	<u>Bldg. Size (sq. ft.)</u>	<u>Sign Size</u>	0 sq. ft. to 2,500 sq. ft.	= 50	2,500 sq. ft. to 25,000 sq. ft.	= 100	25,000 sq. ft. to 100,000 sq. ft.	= 150	100,000 sq. ft. +	= 200
<u>Bldg. Size (sq. ft.)</u>	<u>Sign Size</u>												
0 sq. ft. to 2,500 sq. ft.	= 50												
2,500 sq. ft. to 25,000 sq. ft.	= 100												
25,000 sq. ft. to 100,000 sq. ft.	= 150												
100,000 sq. ft. +	= 200												
Maximum Height (ft.)	14	5	5-foot setback = 20 ft. maximum height  OR Districts: 5 ft. minimum setback-6 ft. maximum height										
Minimum Height (ft.)	None	None	None										
Maximum Width (height of sign with face) (ft.)	N/A	5	Ratio—Longest side: Shortest side 5:1										
Maximum Length (ft.)	N/A	5	Ratio—Longest side: Shortest side 5:1										
Setbacks (Front/Int) (ft.)	10/10	10/10	5/10										
Max. No. Sign Faces	2 per sign	2 per sign	2 per sign										
Max. No. Signs	1 per major frontage	1 per major frontage	1 per major road frontage										

[1] Sign regulations for the CT Zoning District can be found in Section 4.22.4.

[2] Sign regulations for properties located in overlay districts can be found in Chapter 5.

**TABLE 9.11.2-B WALL/FACADE SIGNS**

Building Length Facing Street	Setback	Maximum Size (sq. ft.)
50 feet or less	0—99 ft.	50
	100—399 ft.	100
	400 or more ft.	150
More than 50 feet	0—99 ft.	Bldg. Frontage x 1
	100—399 ft.	Bldg. Frontage x 2
	400 or more ft.	Bldg. Frontage x 3

**C. Special Signs**

1. Maximum size, number, and height of special signs shall conform with Table 9.11.2-C.
2. Temporary Signs
  - a. **Size, Number and Height**  
Maximum size, number and height of temporary signs shall conform with Table 9.11.2-C.
  - b. **Types**  
Commercial and Non-Commercial Temporary Signs of the following varieties are permitted:
    - i. Banners are permitted only in the Savannah Highway/St. Andrews Boulevard Overlay District.
    - ii. Portable signs are permitted in accordance with standards of the National Electrical Code and anchoring provisions of the Standard Building Code.
  - c. **Duration**
    - i. Non-Commercial Temporary Signs shall be allowed for a maximum of 30 days per event.
    - ii. Commercial signs temporary [Temporary Signs] shall be allowed for a maximum of 30 days, starting with the opening of a business.

**D. Real Estate Signs**

1. Maximum size, number and height of real estate signs shall conform with Table 9.11.2-C of this Chapter.
2. Signs shall face a maximum of two directions, and may be mounted back-to-back or V'ed.
3. Where signs are V'ed, the space between panels shall not exceed 3 feet at the point at which panels are closest, and the interior angle formed by signs shall not exceed 60 degrees. For purposes of these requirements, V'ed signs shall be counted as one sign.
4. Where signs face two directions, whether back-to-back or V'ed, both signs must be the same standard size.

**E. Flags Used As Signs**

1. A permit shall be required for the installation of all flag poles or flag display devices erected on lots zoned for multi-family, office, commercial,

or industrial use or occupied by a multi-family, office, commercial, or industrial use.

2. Applicants must submit with the permit application a scaled site plan giving the location of all flag poles and complete dimensional and installation engineering data.
3. Applicants must provide documentation of minimum clearance from electric, telephone or cable TV lines as certified by the proper utility prior to issuance of permit, or installation.
4. Maximum size and number of flags used as signs, and height of flag poles shall conform with Table 9.11.2-C of this Chapter.
5. The American flag and the flag of the State of South Carolina are exempt from the provisions for maximum size of flags and maximum size of flagpoles in Table 9.11.2-C of this Chapter.

**TABLE 9.11.2-C  
SPECIAL SIGNS**

Type	Maximum Size	Maximum Number	Minimum Setback Maximum Height
Subdivision/Multi-Family I.D. Signs	32 sq. ft.	2 per entrance	Minimum setback: 5 ft. Maximum height: 12 ft.
Directional	3 sq. ft.	Unlimited	4 ft.
Temporary Signs: Includes real estate signs, grand openings and permitted special events	48 sq. ft. Time Limit: Shall be removed no later than 15 days after the conclusion of the sale, event, or first day of grand opening	1 per 1500 ft. frontage Maximum: 3 per lot	Minimum setback: 5 ft. Maximum height: 12 ft. Maximum 6 ft. height in residential zoning districts
Flags	60 sq. ft.	3 per zoning lot	35 ft. or 15 ft. above highest point of roof
Civic/Institutional	100 sq. ft. 50 sq. ft. in Residential or Agricultural uses	1 per zoning lot	Min. setback: 5 ft. Max. height 12 ft. Sign must have opaque background except the marquee. Marquee cannot exceed 25% of total sign size

- F. Nonconforming Signs**  
Refer to Chapter 10, Nonconformities.

### §9.11.3 OFF-PREMISES SIGNS

- A. Outdoor Advertising of America Standards**  
All Off-Premises Signs shall be constructed in compliance with Outdoor Advertising of America Standards.

**B. Location and Setbacks**

1. Off-Premises Signs shall be allowed in those zoning districts indicated in Chapter 6.
2. Permitted sizes, maximum height, minimum setbacks and location criteria shall be as indicated in Table 9.11.3-A of this Chapter.

**C. Orientation**

1. Signs shall face a maximum of two directions, and may be mounted back to back or V'ed.
2. Where signs are V'ed, the space between panels shall not exceed three feet at the point at which panels are closest, and the interior angle formed by signs shall not exceed 90 degrees.

**D. Compatible Size Signs**

Where signs face two directions, whether back to back or V'ed, both signs must be the same standard size.

**E. Nonconforming Signs**

Refer to Chapter 10, Nonconformities.

**TABLE 9.11.3-A  
OFF-PREMISES SIGNS**

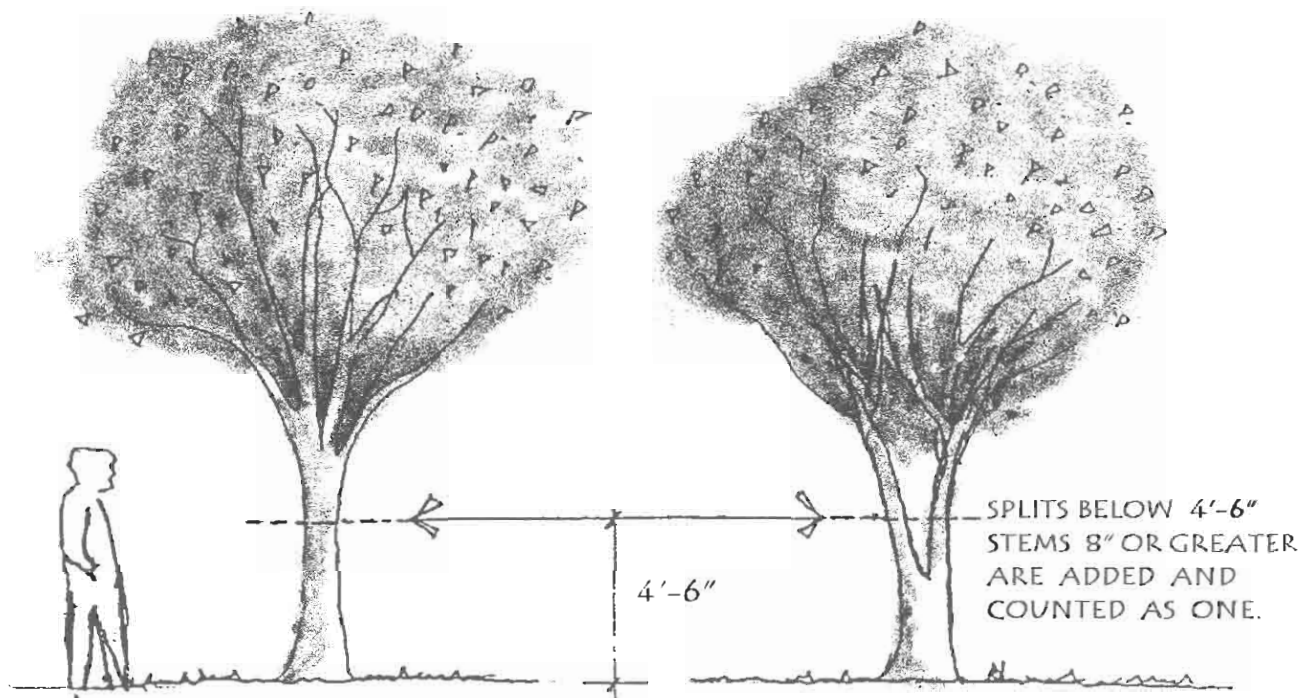
<b>Maximum Length</b>	48 ft.
<b>Maximum Width</b>	14 ft.
<b>Maximum Area</b>	672 sq. ft.
<b>Maximum Height</b>	40 ft.
<b>Minimum Setback (front/side)</b>	25/20 ft.
<b>Location Criteria</b>	1,000 ft.
Minimum distance to nearest off-premises sign	
Minimum distance to nearest on-premises sign	500 ft.

**ARTICLE 9.12 DRAINAGE DESIGN**

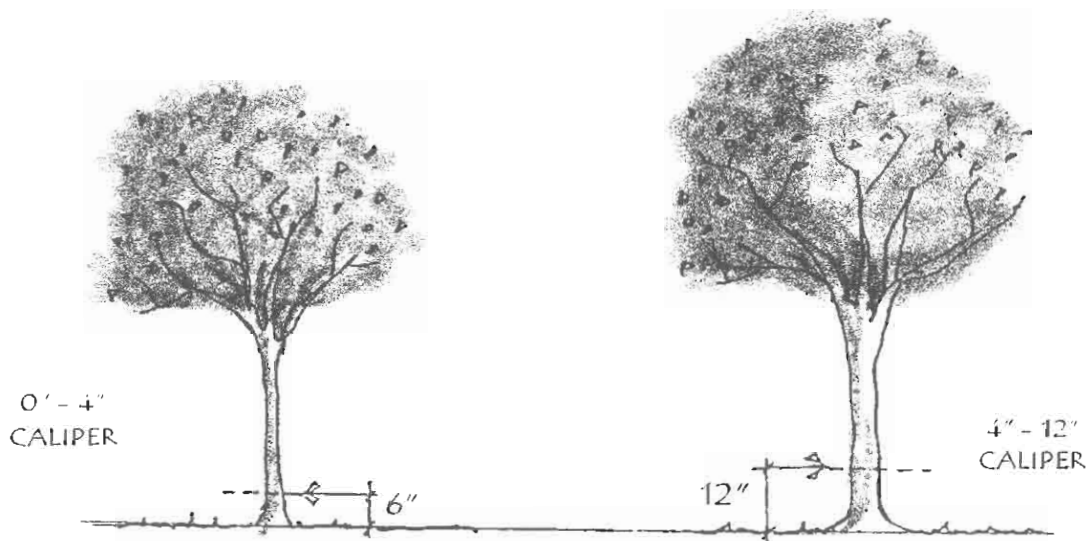
Refer to the Charleston County Stormwater Management Ordinance # 1518 approved on August 14, 2007 and found in Appendix B of this Ordinance.

**CHAPTER 9 EXHIBITS**

**Note: The following exhibits are for illustration purposes only. In case of any difference of meaning or implication between the text of this Ordinance and any heading, drawing, table, figure, or illustration, the text shall control.**



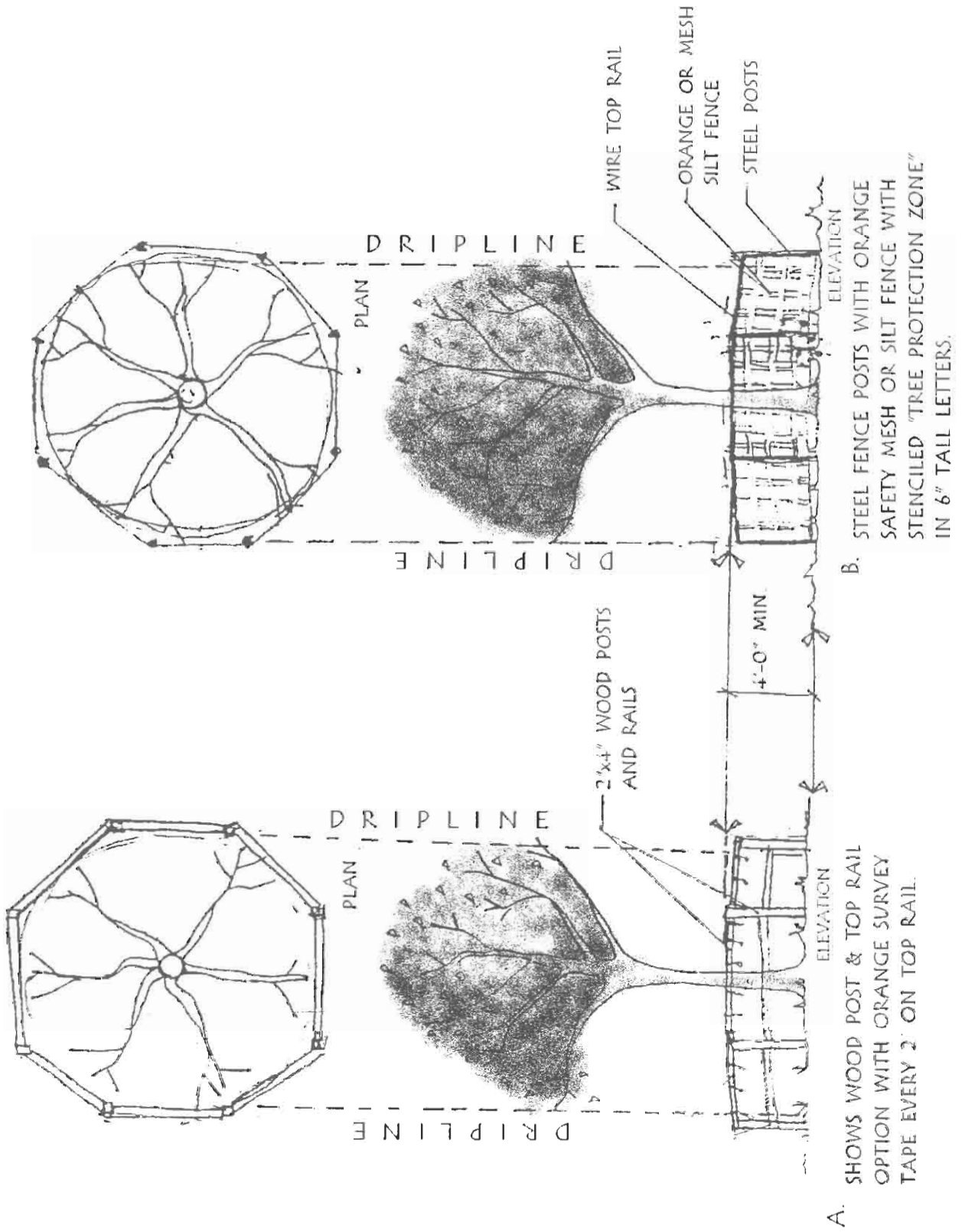
DBH DIAMETER BREAST HEIGHT FOR TREES  
GREATER THAN 12" CALIPER.



CALIPER MEASUREMENT FOR TREES LESS  
THAN 12" IN CALIPER.

TREE MEASUREMENT METHODS

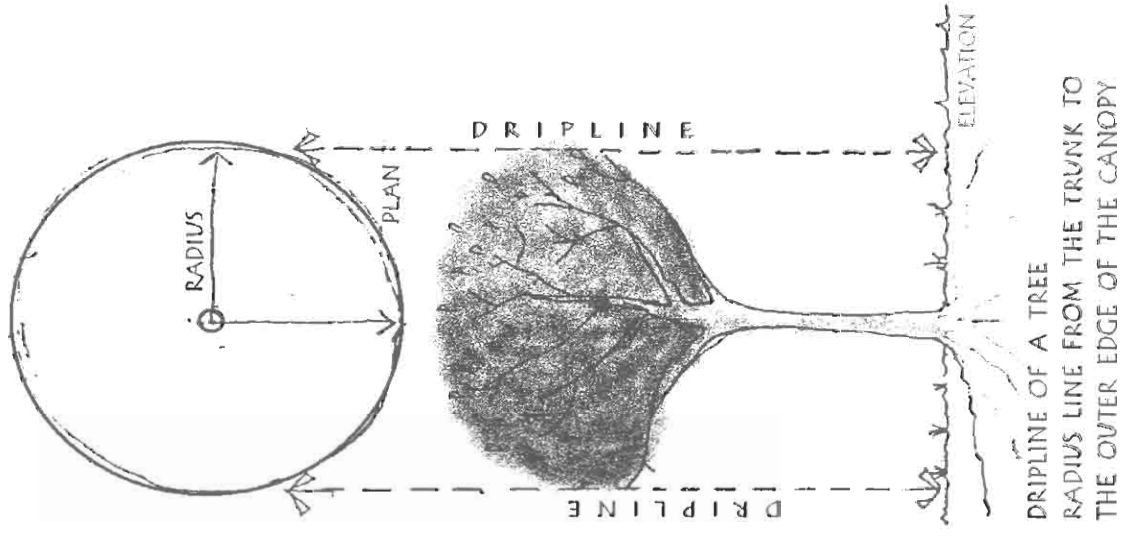
ILLUSTRATION FOR 9.4.1. D



TREE PROTECTION OPTIONS

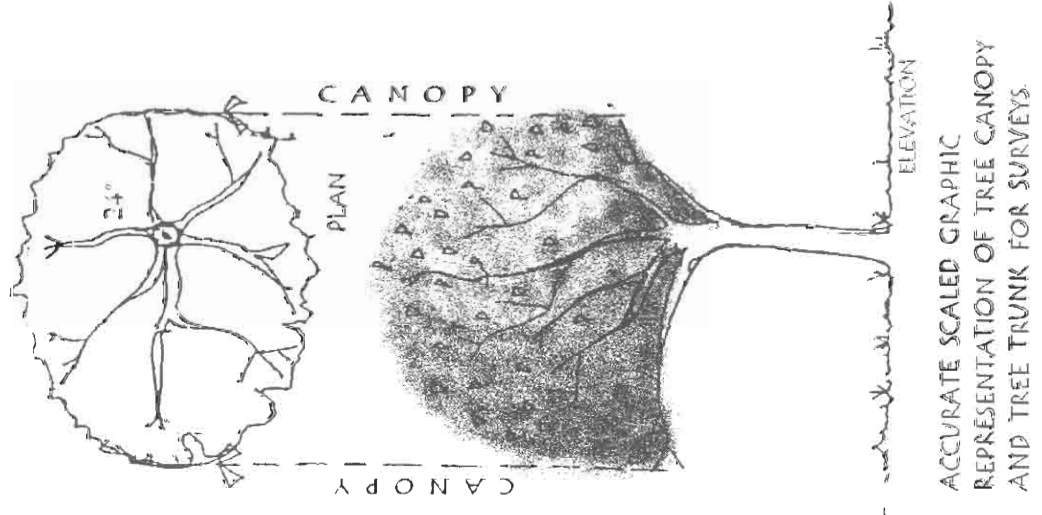
ILLUSTRATION FOR 9.4.4 B





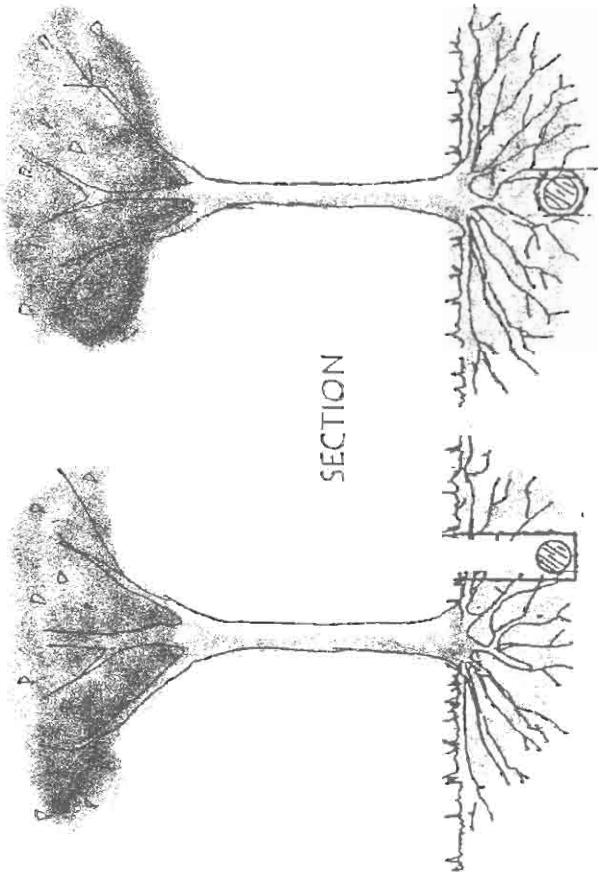
DRIPLINE OF A TREE  
RADIUS LINE FROM THE TRUNK TO  
THE OUTER EDGE OF THE CANOPY

ILLUSTRATION FOR 9.4.4 B

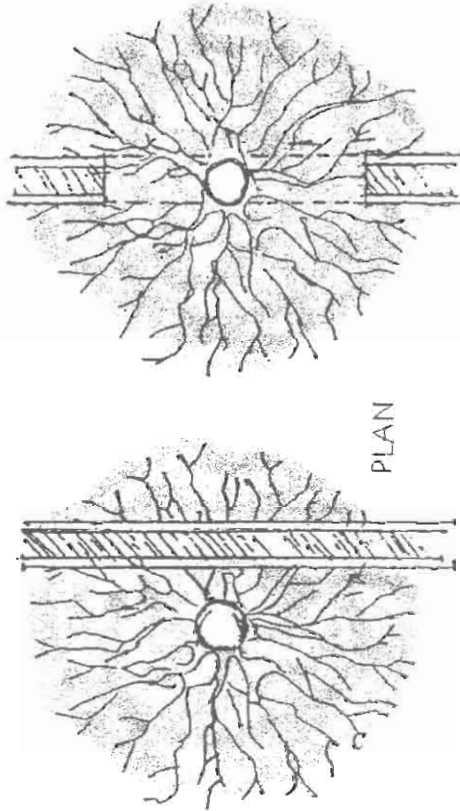


ACCURATE SCALED GRAPHIC  
REPRESENTATION OF TREE CANOPY  
AND TREE TRUNK FOR SURVEYS

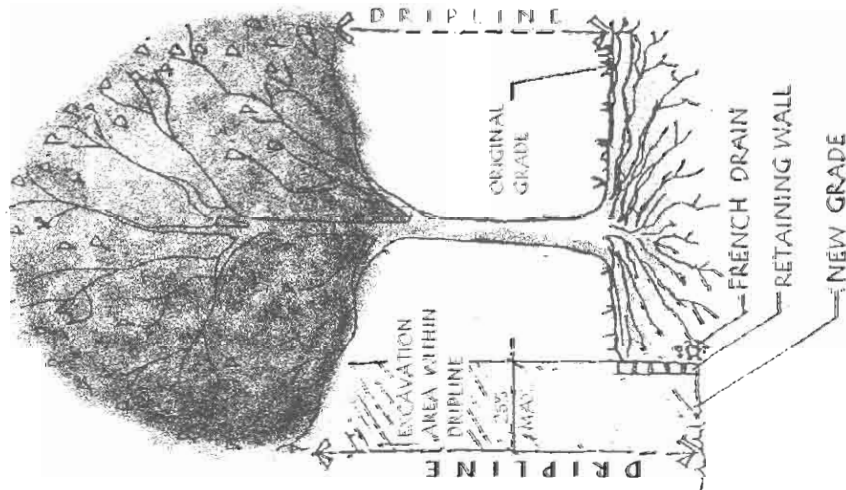
ILLUSTRATION FOR 9.4.3 A



A. NOT ACCEPTABLE B. ACCEPTABLE

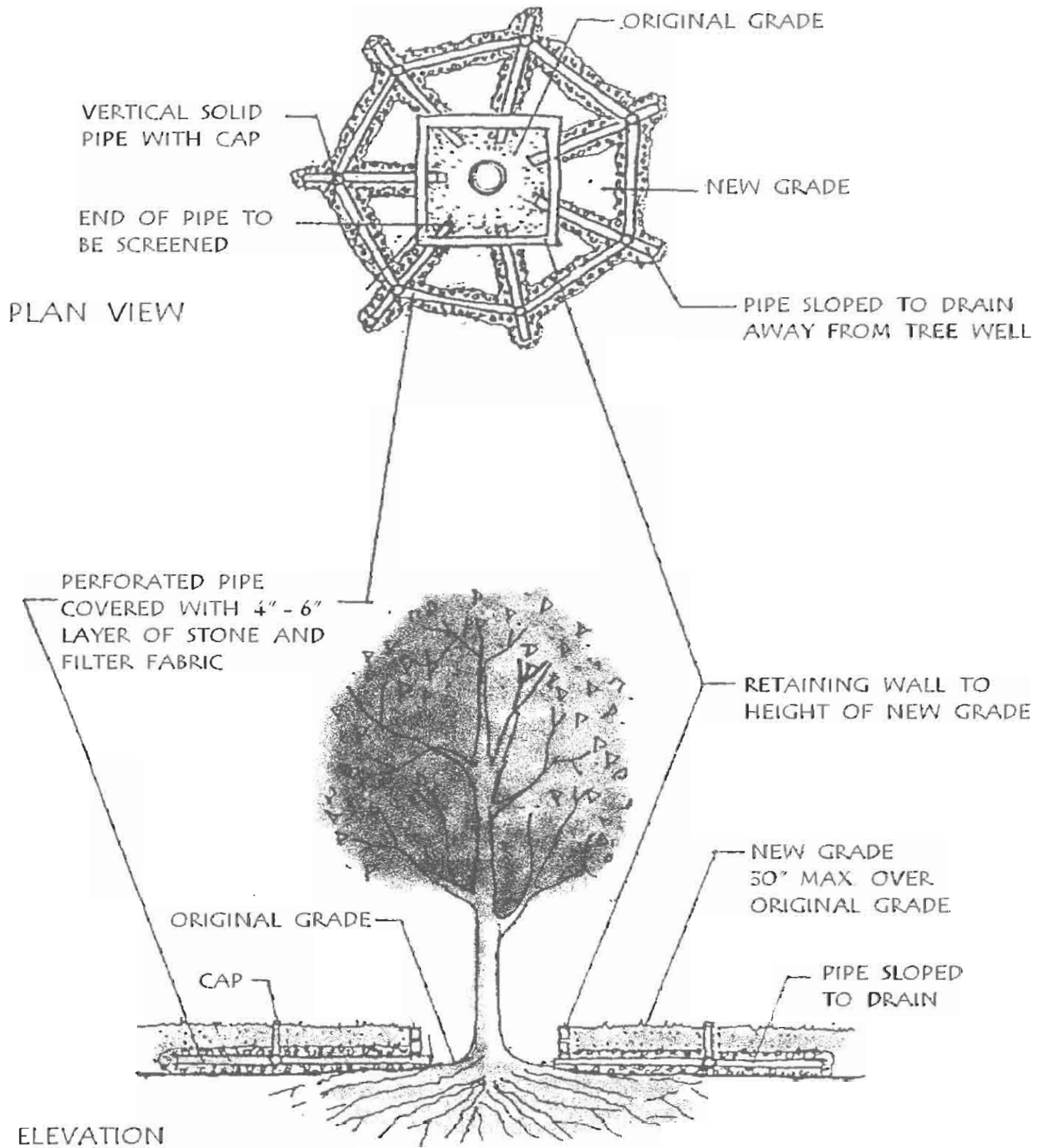


A. THIS TYPE OF TRENCHING WILL KILL THE TREE. B. TUNNELING UNDER THE TREE WILL PRESERVE THE IMPORTANT FEEDER ROOTS.



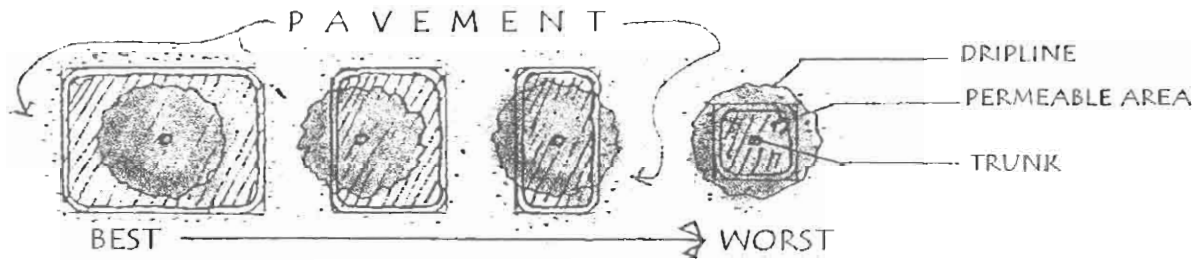
EXCAVATION WITHIN DRIPLINE

ILLUSTRATION FOR 9.4.4 D

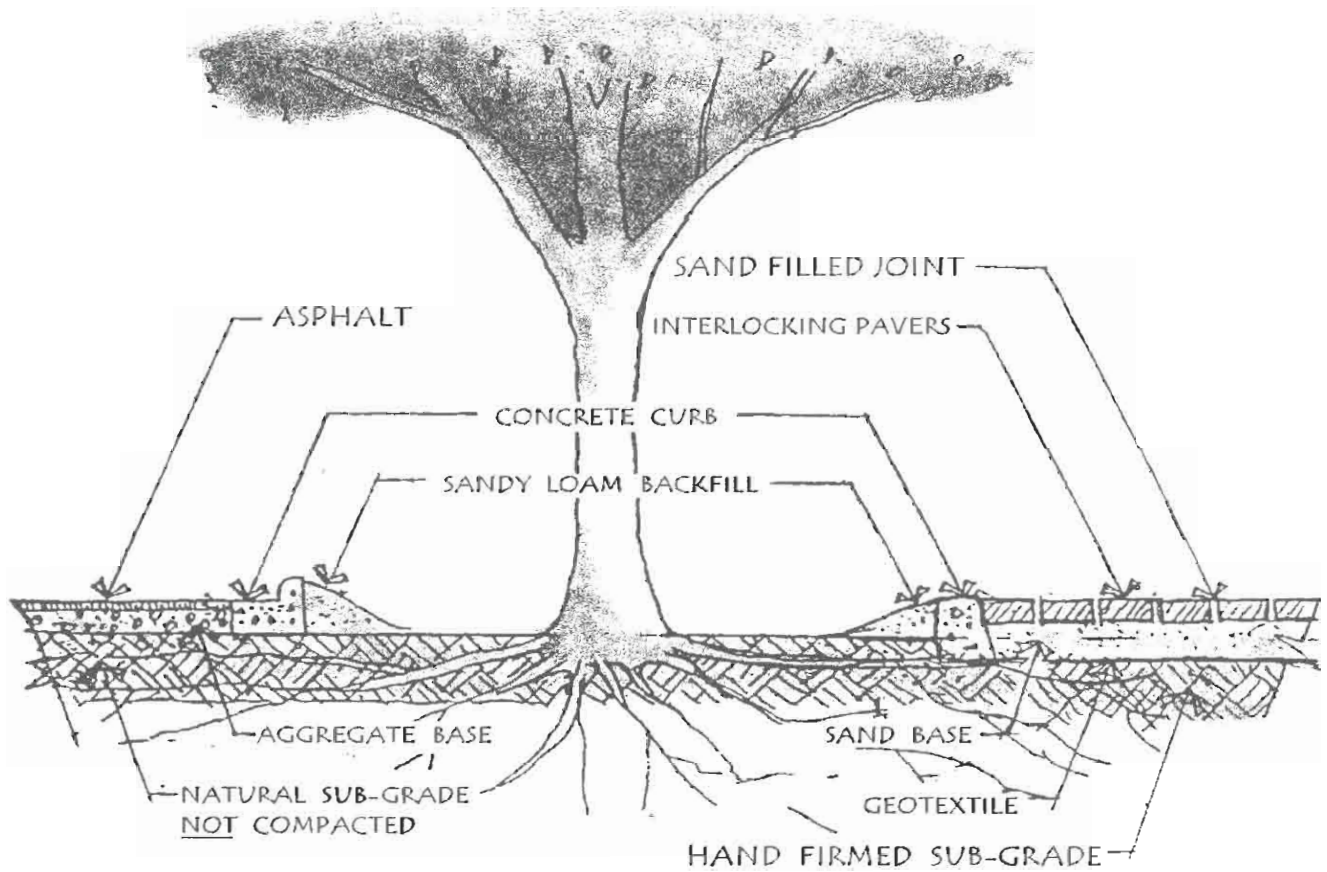


TREE PROTECTION FROM FILL

ILLUSTRATION FOR 9.4.4 D



THE MORE PERMEABLE SURFACE OUTSIDE THE DRIPLINE, THE LESS IMPACT THERE IS TO THE TREE.

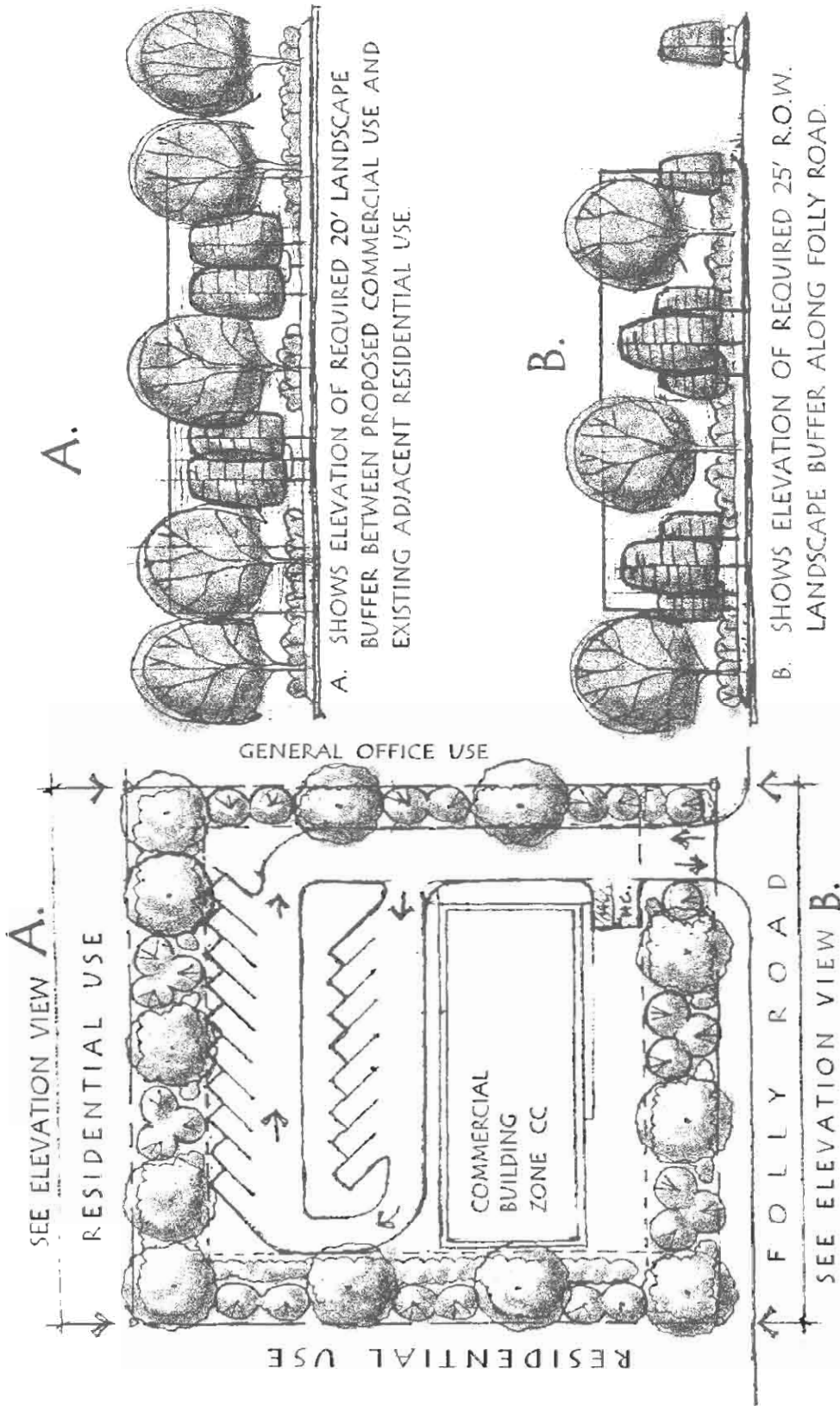


"NO DIG" PAVEMENT METHOD

BRICK OR INTERLOCKING PAVERS FOR PERVIOUS PAVING

PAVEMENT METHODS UNDER DRIPLINE

ILLUSTRATION FOR 9.4.4 D



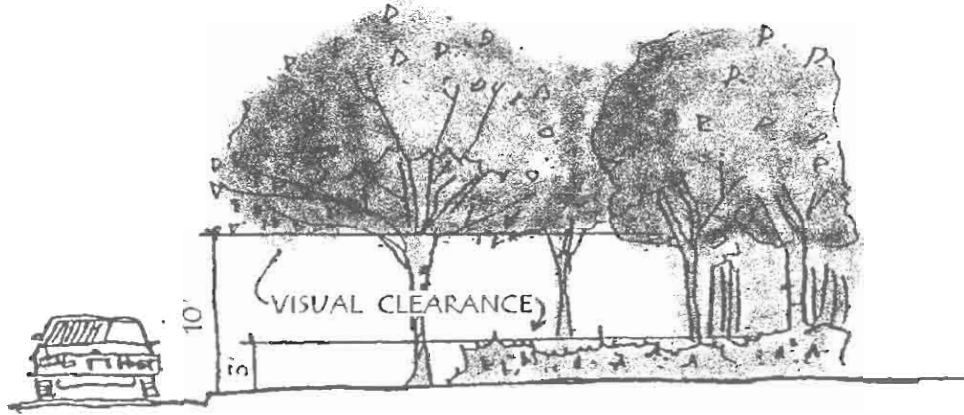
A. SHOWS ELEVATION OF REQUIRED 20' LANDSCAPE BUFFER BETWEEN PROPOSED COMMERCIAL USE AND EXISTING ADJACENT RESIDENTIAL USE.

B. SHOWS ELEVATION OF REQUIRED 25' R.O.W. LANDSCAPE BUFFER ALONG FOLLY ROAD.

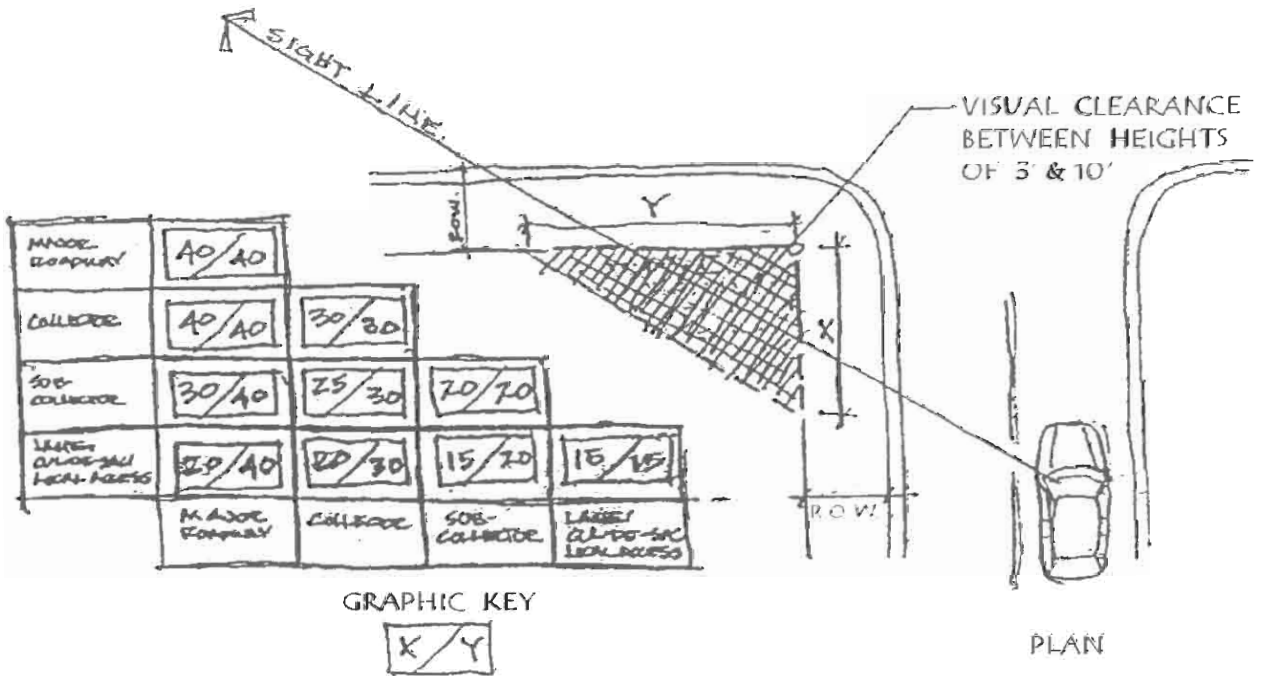
LANDSCAPE BUFFERS

- NOTES
1. THIS EXAMPLE SHOWS THE REQUIRED PARKING IN "SIDE OR REAR" OF BUILDING WHEN THERE ARE 10 OR MORE SPACES.
  2. DIFFERENT ADJACENT USE REQUIRE DIFFERENT SIZE LANDSCAPE BUFFERS RANGING FROM 0 TO 100. SEE THE LAND USE BUFFER TABLE AND LANDSCAPE STANDARDS FOR BUFFER DEPTH AND PLANT MATERIAL REQUIREMENTS.

ILLUSTRATION FOR ARTICLE 9.5



ELEVATION



NOTE: SITE TRIANGLES ARE SUBJECT TO SCDOT APPROVAL AND MAY NEED ADJUSTMENTS FOR ROAD HORIZONTAL AND VERTICAL CURVATURE.

## SITE TRIANGLE STANDARDS

ILLUSTRATION FOR ARTICLE 9.10