

ORDINANCE NO. 12 - 01 - 01

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF ORDINANCE NO. 01-8-35, THE BERKELEY COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE, AS AMENDED, TO GOVERN THE SIZE, NUMBER, LOCATION, AND DESIGN OF ALL OFF-STREET PARKING AND LOADING FACILITIES IN THE UNINCORPORATED AREAS OF BERKELEY COUNTY.

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on April 26, 1999, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, the Berkeley County Council has determined that the following amendment herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens.

WHEREAS, the Berkeley County Council has determined that adequate parking spaces and safe parking lot design are an important part of the efficient and proper growth of the county and region.

WHEREAS, the Berkeley County Council has determined that the following amendment is necessary in order to preserve and enhance the appearance and the quality of life for the citizens of Berkeley County and it is consistent with the Berkeley County Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED that Ordinance No. 01-8-35 the Berkeley County Zoning and Development Standards Ordinance is hereby amended and revised as follows:

Article 15 Parking is hereby amended in its entirety to read:

15.1 SCOPE.

The regulations in this article shall govern the size, number, location, and design of all off-street parking and loading facilities in the unincorporated area of Berkeley County.

15.2 DESIGN STANDARDS.

(A) *Definitions.* For the purpose of these regulations, an off-street parking space is an all weather surface suitable for the temporary storage of a motor vehicle that is directly accessible to an access aisle or private drive and is not located on a dedicated street right-of-way.

(B) *Dimensions.* Parking stalls will be not less than 9 feet by 19 feet. The length may be reduced by two feet when protective devices are provided; however, the overhang will not extend into the required walkways, sidewalks, streets, alleys and required yards or other

similar areas. However, the dimensions of all parallel parking stalls will not be less than 9 feet by 24 feet. Handicapped parking stalls will not be less than 8 feet by 19 feet with a 5-foot aisle separation (13 feet by 19 feet overall). All parking spaces will be located so as to insure adequate off-street maneuvering space.

(C) *Aisle Width.* The following chart provides minimum requirements for the width of aisles between parking rows.

Parking Angle	Aisle Width Minimum	
	One-Way Traffic	Two-Way Traffic
30°	12'	20'
45°	14'	20'
60°	18'	22'
90°	20'	22'

(D) *Drainage and maintenance.* Off-street parking facilities will be properly graded for drainage to prevent damage to abutting property and/or public streets and alleys and surfaced with asphalt, concrete, bituminous or other material approved by the zoning administrator. Off-street parking areas will be maintained in a clean, orderly, dust-free and weed-free condition at the expense of the owner or lessee and not used for the sale, repair or dismantling or servicing of any vehicles or equipment, except for service and auto repair stations.

(E) *Entrances and exits.* Curbing will be provided along boundaries to control entrance and exit of vehicles or pedestrians. All parking facilities, except single-family detached and two-family dwellings, will be designed so that all existing movements onto a public street are in a forward motion.

(F) *Landscaping.* Ten percent of the impervious surface area (paved, gravel, building areas) will be open and landscaped in a manner as to divide and break up the expanse of paving with islands and barriers. These areas must be located throughout the parking area and the natural landscape must be preserved in all possible instances. Wherever healthy plant material exists on a site, the minimum planting standards may be adjusted for the plant material, if in the opinion of the zoning administrator the adjustment is in the best interest of the county and preserves all intents of this chapter.

(G) *Lighting.* Adequate lighting will be provided if off-street parking spaces are to be used at night. Equipment for lighting parking facilities will be arranged so that light does not interfere with traffic, is shielded or directed away from adjoining residences, and produces no glare across residential property boundaries.

(H) *Separation from walkways and streets.* Off-street parking spaces will be separated from walkways, sidewalks, streets, alleys and required yards by a wall, fence, or curbing.

15.3 HANDICAP PARKING SPACE REQUIREMENTS.

All parking for handicapped persons will be provided in accordance with the rules and regulations mandated by the most recent version of the International Building Code (IBC) that has been mandated for adoption in the State of South Carolina.

PARKING SPACES AND PASSENGER LOADING ZONES FOR HANDICAPPED	
Total Spaces for Zones	Required Number to be Reserved for Handicapped
up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of Total
Over 1,000	20; plus 1 for each 100 over 1,000

15.4 JOINT USE OF OFF-STREET PARKING LOTS.

(A) Up to 50% of the required parking spaces for uses not normally open, used or operated during the same hours may be provided and used jointly, provided, however, that written agreement thereto is properly executed and filed as specified below.

(B) In any case, where the required parking spaces are not located on the same lot with the building or use served, or where spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for these purposes will be properly drawn, executed, and recorded in the Berkeley County Government Register of Deeds Office.

15.5 LAND TO PROVIDE PARKING.

The land to provide parking in the construction of any building must be within 600 feet of the subject use and a safe pedestrian link to the use must be provided by the applicant.

15.6 OFF-STREET LOADING REQUIREMENTS.

All uses will provide off-street loading areas sufficient for their requirements. The spaces will be adequate so that no vehicle waiting to be or being loaded or unloaded in connection with normal operations will stand in or project into walkways, sidewalks, streets, alleys and required yards.

15.7 OFF-STREET PARKING REQUIREMENTS.

(A) Off-street automobile storage and parking space must be provided on every lot on which any of the following uses are hereafter established. The number of parking spaces provided will be at least as great as the number specified below for the particular use(s). If parking is not adequate, after compliance with these regulations, because of other conditions associated with the operation of the business, the zoning department reserves the right to require additional parking spaces. When application of the provision results in a fractional space requirement, the next larger requirements will prevail.

OFF STREET PARKING REQUIREMENTS	
Principal Use	Required Off-Street Parking
Auditorium, church, theater, places of public assembly	One space for each four seats
Automobile dealer, service area, and/or store	One space for each 300 square feet of gross floor area
Bowling alleys	Five spaces for each bowling lane
Car Wash	Stacking distance for 2 vehicles at each bay and vacuum station.
Child care centers	One space for each four children; plus one additional space per employee
Driving ranges	One space for each driving box, plus one additional space per employee
Dwelling unit	One space for each one bedroom unit and two spaces for each two or more bedroom unit(s) NOTE: Area in front of a garage cannot count as a parking space
Financial institutions	One space for every 300 square feet of gross floor area
Flea markets	Three spaces for each booth or table
Funeral home	One space for each four seats
Golf courses	Four spaces for each green plus one additional space per employee
Golf courses; par three	Two spaces for each green box; plus one additional space per employee
Grocery, supermarket, convenience store (without gasoline sales)	One space for every 150 square feet of gross floor space
Hospital	One space for each patient bed; plus one space for each 300 square feet of office and administrative area
Hotel, motel or motor court	One space per rental unit; plus one space for each

	300 square feet of office, administrative, conference, restaurant/club areas
Industrial, manufacturing and processing uses	One space per employee for the largest shift; plus 25% to allow for shift change overlap; plus one space per 300 square feet of office area
Libraries	One space per 300 square feet of gross floor area
Mini-warehouses	One space per 300 square feet of office area; minimum aisle widths of 24 feet must be maintained between buildings; aisle widths along a building's perimeter and all other areas must be a minimum of 20 feet; all impervious surface areas intended for vehicle access must be paved; recreational vehicle and boat storage areas may be graveled
Mobile home park	Two spaces for each mobile home space; plus one space for each two employees
Nursing home	One space for each patient bed; plus one additional space per employee per shift
Office and professional building	One space for every 300 square feet of gross floor area
Office, medical or dental	Five spaces per doctor or dentist
Parks, general outdoor recreational areas, and the like	One space for every 5,000 square feet of land area; plus one additional space per four seats
Public or private club, not dispensing alcoholic beverages	One space for every 150 square feet of gross floor area
Recreation facilities (indoor) not listed elsewhere	One space for every 150 square feet of gross floor area
Restaurants and other establishments dispensing food, including drive-ins	One space per 80 square feet; or one per three patrons at maximum capacity, plus one per employee on largest shift
Retail store, personal service shops, and shopping center	One space for every 250 square feet of gross floor area
Rooming and boarding house and group dwellings	One space for each bedroom or sleeping room
Sales and service not listed elsewhere	One space for every 300 square feet of gross floor area
Schools; elementary and junior high	Two spaces per classroom; plus one space per 300 square feet of office area
Schools; senior high, business, vocational and colleges	Ten spaces per classroom; plus one space per 300 square feet of office area; plus one space for every four seats in the main assembly room/auditorium

Athletic fields	One space per 3,000 square feet of field area or one space per six spectator seats, whichever is greater. Plus 25% for tournament and multiple game day overlap.
Swimming pools - indoor or outdoor (except when built as an accessory to a residential use)	One space for 100 square feet of water area or one space per four spectator seats, whichever is greater
Taverns, discos, night clubs and/or public or private clubs (dispensing alcoholic beverages)	One space for every 150 square feet of floor area
Tennis courts - indoor or outdoor (except when built as an accessory to a residential use)	Four spaces per court or one space per four spectator seats, whichever is greater
Wholesaling, warehousing and distribution operations	One space per employee for the largest shift; plus 25% to allow for shift change overlap; plus one space per 300 square feet of office area

(B) The parking space requirements for a use not specifically listed above will be the same as for a listed use of similar characteristics of parking demand generation.

(C) Uses with different parking requirements occupying the same building or premises must provide parking spaces equal to the sum of the requirement of the various uses computed separately unless the criteria for joint use of parking lots is satisfied.

15.8 PARKING, STORAGE, AND USE OF CERTAIN VEHICLES ON RESIDENTIAL LOTS.

(A) The outside storage of unlicensed automobiles, trucks, boats, trailers and/or travel trailers/RVs of any kind is prohibited on residential lots. The storage of any unlicensed vehicle must be within completely enclosed and roofed structures (garage) as permitted herein.

(B) No more than five (5) automobiles and/or trucks are permitted to be parked/stored on residential lots with a lot size less than one-half (.50) acre. The automobiles and/or trucks must be listed in the ownership of the property owner or tenant. Nothing in this section shall be construed to prohibit or otherwise limit the temporary parking of more than Five (5) automobiles on an individual lot for special events and occasions provided such activities are otherwise in compliance with all other Berkeley County Regulations.

All legal nonconforming lots containing more than five (5) vehicles at the adoption of the zoning ordinance are declared to be nonconforming and shall be made to conform to this provision within six (6) months from the adoption date of this ordinance

(C) The storage of travel trailers/RVs is permitted on residential lots, provided, the travel trailer is listed in the ownership of the property owner or tenant. The travel trailer cannot be used as an intermittent, temporary, or permanent residence while parked or stored on a lot. The parking and storage of travel trailers is prohibited on vacant lots unless the vacate lot is adjacent to the owner's primary residence.


(D) Trucks and other farm equipment may be stored on lots used for agricultural production, provided the vehicles and equipment are essential to and are being used for farming operations.

(E) The parking or storage of Trucks, tractor trailer units, or other such vehicles, with over a two-ton load capacity or which weighs more than 10,000 pounds (tare weight), are prohibited on or within any portion of a residential lot of the county, including streets or public rights-of-way; which is less than .69 acre or 30,000 square feet. Said units may be parked or stored on lots of .69 acre (30,000 s.f.) or larger provided the units are located thirty-five (35) feet from the front and fifteen (15) feet from the side lot lines.

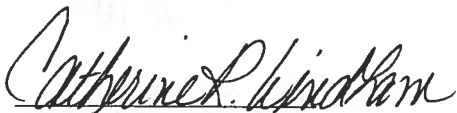
For the purpose of this section, "tractor-trailer unit" shall encompass the entire unit or the tractor alone or the trailer alone.

Nothing in this section shall be construed to prohibit or otherwise limit the temporary loading and unloading of service vehicles, nor shall the prohibitions herein pertain to emergency stops and parking or to the parking of recreational vehicles.

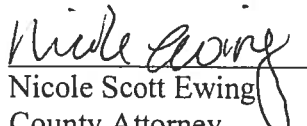
ADOPTED this 23rd day of January, 2012.

BERKELEY COUNTY, SOUTH CAROLINA

DANIEL W. DAVIS, CHAIRMAN
BERKELEY COUNTY COUNCIL

ATTEST:


Catherine R. Windham
Interim Clerk of Council

Approved as to form:


Nicole Scott Ewing
County Attorney

First Reading: November 28, 2011
Second Reading: December 12, 2011
Public Hearing: January 23, 2012
Third Reading: January 23, 2012

MEMBERS OF COUNTY COUNCIL

Phillip Farley

PHILLIP FARLEY

Voting YES

Dennis L. Fish

DENNIS L. FISH

Voting YES

Timothy J. Callanan

TIMOTHY J. CALLANAN

Voting YES

Jack H. Schurlknight

JACK H. SCHURLKNIGHT

Voting YES

WILLIAM E. CROSBY

Voting _____

Cathy S. Davis

CATHY S. DAVIS

Voting YES

Caldwell Pinckney, Jr.

CALDWELL PINCKNEY, JR.

Voting YES

Steve C. Davis

STEVE C. DAVIS

Voting YES

Robert O. Call, Jr.

ROBERT O. CALL, JR.

YES