

ORDINANCE NO. 21-01-03

AN ORDINANCE TO AMEND AND CLARIFY CERTAIN SECTIONS OF §7.2 GENERAL COMMERCIAL DISTRICT (GC), §4.3.1, USE TABLE, AND §11.8, STORAGE USES, OF THE BERKELEY COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE, AS AMENDED, TO ESTABLISH A CONDITIONAL USE AND SPECIAL EXCEPTION FRAMEWORK FOR CERTAIN PRIMARY AND ACCESSORY USES.

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, and that it is consistent with the Berkeley County Comprehensive Plan; and

WHEREAS, The GC District is silent on residential density thresholds, contains an impractical height restriction, and prohibits the establishment of a primary use outdoor storage facilities, requiring property owners to request up-zoning to more use-intensive *industrial* Zoning designations; and

WHEREAS, the Berkeley County Council has determined that the following amendments are necessary in order to respond to the changing needs of the County and its citizens.

NOW, THEREFORE, BE IT ORDAINED that Ordinance 01-8-35 the Berkeley County Zoning and Development Standards Ordinance, as amended, is hereby amended and revised as follows:

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Amendments to §4.3.1, Use Table:

Table Key			
<i>P</i>	<i>Use is Permitted by Right</i>	<i>S</i>	<i>Special Exception Required</i>
<i>X</i>	<i>Prohibited</i>	<i>C</i>	<i>Conditional Use</i>
<i>A</i>	<i>Accessory Use</i>		

Storage Uses:

- The definition of *Storage Facility (Miniwarehouse)* is amended to contemplate accessory outdoor storage.
- The definition of *Outdoor Storage* is amended to contemplate lease space for vehicular storage and modified to reflect the use as allowable by Special Exception (primary use) and as an Accessory Use in the GC zone.

Commercial Uses:

- *Commercial, General Services* is modified to be allowed by right in the GC zone (since conditions for accessory outdoor storage have been addressed in the accessory use standards).
- *Commercial, transportation (truckstop)* has been changed from a use permitted by right (P) to a Conditional Use in the GC District and a use permitted by right (P) in the LI District; **Staff will follow these amendments with additional amendments to the LI District in support of this change.*
- *Convenience retail and/or gas station* has been changed from a use permitted by right (P) to a Conditional Use in the GC District.

Residential Uses:

- *Multi-Family* and *Townhouse/Single-Family Attached Residential* uses have been modified from allowed by right (permitted) to allowable subject to conditions in order to hold these uses to the density and other dimensional standards established in the R-5 District.

Land Use	R1	R1-MM	R2	R3	R4	R5	R1-R	R2-R	R2-R(F)	R15	Flex1	RNC	GC	OI	LI	HI	Use Definition
STORAGE USES																	
Storage facility (miniwarehouse) Conditional use: § 11.8	X	X	X	X	X	X	X	X	X	X	X	X	C	C	C	C	A structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time. Outdoor Storage in the form of lease space for the open storage of boats, automobiles, and marine, recreational, and similar vehicles in an unenclosed area or structure may be permitted as an accessory use per the conditions found in Section 11.8.2.
Land Use	R1	R1-MM	R2	R3	R4	R5	R1-R	R2-R	R2-R(F)	R15	Flex1	RNC	GC	OI	LI	HI	Use Definition
Outdoor storage	X	X	X	X	X	X	X	X	X	X	X	X	S /A	X	C	C	Goods, equipment, or supplies including but not limited to junked vehicles and white goods, held for safekeeping or eventual sale or distribution or processing for recycling, not entirely within totally enclosed buildings. Property maintained in this manner may be referred to as a junkyard. T-structures, lean-to-type structures or roofed-over, fenced-in areas shall not be considered totally enclosed buildings. This use classification may also be applied to facilities that provide lease space for the open storage of boats, automobiles, and marine, recreational, and similar vehicles in an unenclosed area or structure.

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COMMERCIAL USES

Commercial, general services	X	X	X	X	X	X	X	X	X	X	X	X	C	P	X	P	P	Establishments providing services pertaining to the maintenance, installation, and repair of personal and business articles including plumbing, heating and air conditioning, electrical, janitorial, and contracting services, general machinery repair, auto garages, and oil change centers. All forms of general service businesses are included in this definition unless defined separately elsewhere. Outdoor storage is included in this definition as an accessory use as long as the use meets the defined conditions.
Convenience retail and/or gas station	X	X	X	X	X	X	X	X	X	X	X	X	P	C	X	P	X	Retail establishments used primarily for the sale of pre-packaged food products, household items, newspapers and magazines, and pre-packaged freshly prepared foods for off-site consumption as well as fuel for automobiles, light (2 axles) and medium (3 axles) trucks, motorcycles, recreational vehicles, and other personal vehicles or watercraft. These stores operate long hours, often 24 hours, and contain a myriad of items. Commercial, transportation uses such as truckstops are not included in this definition.
Commercial, transportation (truckstop)	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	P	P	Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truckstop may also include overnight accommodations and restaurant facilities primarily for the use of truck crews.

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RESIDENTIAL USES

Land Use	R1	R1-MM	R2	R3	R4	R5	R1-R	R2-R	R2-R(F)	R15	Flex1	RNC	GC	OI	LI	HI	Use Definition
Multifamily	X	X	X	X	X	P	X	X	X	X	X	P	C	P	X	X	A building containing two or more dwelling units on the same lot, including units that are located one over the other. These can include apartments and condominiums.
Townhouse/single-family attached	X	X	X	X	P	P	X	X	X	X	X	X	C	X	X	X	A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

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7.2. - General Commercial District (GC).

7.2.1. *Intent.*

- A. This district provides for the development of commercial centers that serve the retail and services needs of the surrounding community within a ten-minute drive. The regulations in this district are intended to:
 - 1. Ensure that developments complement the character of the surrounding community; and
 - 2. Ensure that appropriate pedestrian linkages with adjacent land uses are included; and
 - 3. Minimize roadway hazards caused by numerous or poorly located curb cuts; and
 - 4. Buffer from incompatible uses; and
 - 5. Strengthen business and commercial activity by concentrating facilities; and
 - 6. Dissuade noncomplementary uses that might weaken or conflict with commercial activity.
- B. Uses in this district should develop as commercial centers.

7.2.2. *Location.*

- A. This district shall be applied in areas or nodes designated for mixed use, commercial, and/or employment uses as mapped on the future land use map in the comprehensive plan and where appropriate.
- B. New general commercial districts should have the following characteristics:
 - 1. Be located at the edge of multiple residential communities with direct access to/from at least one of these communities.
 - 2. Have limited points of access to designated major roadways and an alternative means of access to/from other primary roads.

USES

7.2.3. *Permitted uses.* The following uses are permitted within the General Commercial (GC) district:A. *Commercial uses.*

- 1. Commercial, Lodging (Hotel and Motel).
- 2. Commercial, General Services
- 3. Commercial, Personal Services.
- 4. Commercial, Professional Services.
- 5. Restaurant.
- 6. Retail Sales.
- 7. Office.
- 8. Wholesale Sales.
- 9. Commercial Event Venue
- 10. Mixed Use

B. *Recreation and Amusement Uses.*

1. Commercial, Indoor Recreation.
2. Commercial, Outdoor Recreation.
3. Indoor Recreation.
4. Outdoor Recreation, Active.
5. Outdoor Recreation, Passive.
6. Ecotourism.
7. Golf Course.
8. Miniature Golf.
9. Resort/Fish Camp.

C. *Institutional Uses.*

1. Assembly and Worship.
2. Cemetery.
3. College and Professional Schools.
4. School, Neighborhood and Community.
5. Commercial Day Care Center.
6. Assisted Living Facility.
7. Local Utilities, Public Services, And Government Offices.

D. *Storage uses.*

1. Business Storage (Indoor Storage).

7.2.4. *Accessory uses.* Accessory uses are permitted as a detached structure or use subordinate to the main building or classification that is used for purposes customarily incidental to the principal use. Accessory uses shall not exceed 65 percent of the size of the principal classification.

The following uses are permitted as accessory uses within the GC general commercial district:

A. *Commercial.*

1. Bed and breakfast.
2. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the Planning and Zoning department as a means of ensuring land use compatibility.

B. *Storage.*

1. Business Storage (Indoor Storage).
 - a. Freight/cargo containers may be used as accessory uses within this classification for the storage of business supplies, products and/or machinery for temporary time periods only as specified in Article 12, Temporary Uses, section 12.2 (Temporary uses—Nonresidential).
2. Outdoor Storage.
 - a. The proposed outdoor storage use shall meet the requirements for Outdoor Storage (Accessory Use) found in Section 11.8.2.

3. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the planning and zoning department as a means of ensuring land use compatibility.

C. *Institutional and Civic.*

1. Refreshment stands and food and beverage sales located in uses involving public assembly; and
2. Cafeterias, dining halls, and similar food services when operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use; and
3. Gift shops, newsstands, and similar commercial activities operated primarily for the convenience of employees, residents, clients, patients, or visitors to the principal use; and
4. Recreation areas and facilities for the use of the employees; and
5. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the Planning and Zoning department as a means of ensuring land use compatibility.

D. *Residential.*

1. Commercial Apartment; and
2. Home Occupation; and
3. Fences and Walls; and
4. Garages, Carports, and Off-Street Parking; and
5. Guesthouse, Gate Houses and Guard Houses; and
6. Playhouses, Patios, Cabanas, Porches, Gazebos, and Incidental Household Storage Buildings; and
7. Radio and Television Receiving Antennas; and
8. Recreational and Play Facilities for the Use of Residents; and
9. Tennis courts, swimming pools, and hot tubs; and
10. Other necessary and customary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property, subject to compliance with any development and performance standards imposed by the Planning and Zoning department as a means of ensuring land use compatibility.

7.2.5. *Uses Permitted with Conditions.* The following uses are permitted as conditional uses within the General Commercial district. All listed conditions shall be demonstrated in a *Single-Site Development Plan* or otherwise acceptable exhibit prior to use authorization. See article 11 for the procedure for approval of conditional uses

A. *Commercial uses.*

1. Commercial, Bar and/or Liquor Store.
 - a. All conditions and regulations found in article 11.4 shall be met prior to permit approval.
2. Commercial, Carwash.
 - a. Carwash site will be designed so that runoff from the washing bays is contained on-site.
3. Commercial, Drive-Through Restaurant.
 - a. All conditions and regulations found in article 11.4 shall be met prior to permit approval.

4. Outdoor Sales, Rural.
 - a. Display of outdoor sales shall meet district setbacks as if part of building footprint.
5. Outdoor Sales, Other.
 - a. Display of outdoor sales shall meet district setbacks as if part of building footprint.
6. Domestic Boarding Facility.
 - a. The facility shall be buffered with an opaque eight (8) foot tall privacy fence between the facility and all adjoining properties in addition to any landscaping requirements found in article 15 of this ordinance.
7. Convenience Retail and/or Gas Station
 - a. There shall be no more than four (4) separated fueling lanes for diesel trucks.
 - b. The sale of goods, petroleum, and/or services intended primarily to serve heavy duty trucks comprised of four (4) or more axles or for the consumption of its crews, including, but not limited to, overnight accommodations, trailer storage or court, weigh scales, showers, and vehicle servicing, maintenance, or repair, is prohibited.
10. Transportation (Truckstop)
 - a. The parcel that is subject to development shall be a minimum of 10 acres in size.

B. *Institutional Uses.*

1. Family day care home.
 - a. All conditions and regulations found in article 11.6 shall be met prior to permit approval.

C. *Office and Industrial Uses.*

1. Commercial communication towers.
 - a. *List of conditionally approved uses.*
 1. Locating antennas on existing structures with modifications consistent with the conditions [in] article 11.7.
 2. Locating antennas on existing towers with modifications consistent with the conditions [in] article 11.7.
 3. Locating new monopole, guyed, or lattice towers consistent with the conditions [in] article 11.7.
 - b. *District conditions.*
 1. Maximum height: 200 feet, unless a special exception permit is granted by the Berkeley County Zoning Board of Appeals.
 2. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than 20 feet above the highest part of the structure.
 - c. *General conditions.*
 1. All conditions and regulations found in article 11.7 shall be met prior to permit approval.
 2. Proposed communications equipment co-locating [collocating] on existing towers and structure without adding to their height shall not be subject to the requirements of this conditional use.

2. Small Wireless Facilities

- a. The use shall meet all applicable standards found in Section 11.7.

D. *Storage Uses.*

1. Storage facility (miniwarehouse).

a. *District conditions.*

- 1. Facility shall meet all landscaping standards.

b. *General conditions.*

- 1. All conditions and regulations found in article 11.8 shall be met prior to permit approval.
- 2. *Outdoor Storage (Accessory Use).* Outdoor Storage may be permitted as an accessory use provided that the proposed outdoor storage use conforms to the requirements found in Section 11.8.2.

E. *Agricultural Uses.*

1. Boarding Facility.

a. *District conditions.*

- 1. Kennels and catteries only.

F. *Residential Uses.*

1. Townhouse/Single-Family Attached.

a. District Conditions

- 1. *Dimensional and Design Standards.* Townhouse/Single-Family Attached Uses shall conform to the standards found in Sections 5.6.10 through 5.6.17 of the Berkeley County Zoning and Development Standards Ordinance, provided however that the proposed building(s) may be eligible for height bonuses found in Section 7.2.11(B).

2. Multifamily.

a. District Conditions:

- 1. *Dimensional and Design Standards.* Multifamily Residential Uses shall conform to the standards found in Sections 5.6.10 through 5.6.17 of the Berkeley County Zoning and Development Standards Ordinance, provided however that the proposed building(s) may be eligible for height bonuses found in Section 7.2.11(B).

7.2.6. *Special Exceptions.* The following uses are permitted as special exception uses within the General Commercial District. Applications for Special Exception shall include a Single-Site Development Plan, conforming to the requirements outlined for the requested use and all applicable codes, payment of fees established in Chapter 47, and any supporting documentation deemed necessary by the Planning and Zoning Director by the required deadline to be eligible for consideration by the Board of Zoning Appeals (BZA). The Board of Zoning Appeals (BZA) will evaluate the request in accordance with the standards, criteria, and processes set forth in Articles 11 and 21.

1. Outdoor Storage (Primary Use).

- A. The applicant shall submit site and operations plans to the Zoning Administrator or his/her designee, indicating the following:

- i. *Screening.* Outdoor storage shall be enclosed by opaque fencing of at least eight (8) feet in height, but no greater than 12 feet, as well as conform to the buffering requirements applicable to *Business and Retail* uses per Articles 17 and 10.3, as applicable. For the side(s) of the facility that are within 500 feet of a street or shared access, the continuous screen shall be constructed of wood, brick, and/or masonry. For the side(s) of the facility that are located 500 or more

feet from a street or shared access, the screen shall be constructed of wood, brick, masonry, and/or chain link with opaque slats.- The Applicant shall specify the extent and type of vegetative buffering to be used to protect adjoining properties as prescribed in Article 17.

- ii. *Materials Stored.* Materials, products, appliances, equipment, and/or vehicles stored in the open shall not be permanently stacked higher than the required screen and shall not include the storage of any material/substance that is required to be reported pursuant to the provisions of the Superfund Amendments and Reauthorization Act (SARA), title III, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and section 112(r) of the Clean Air Act (CAA))), flammable and/or combustible substances/materials, junked and/or salvaged vehicles or boats (or parts thereof), appliances, equipment, or other junked or salvaged materials (otherwise known as junk or salvage yards), and the storage of any material or substance intended for disposal. No portion of the Outdoor Storage yard shall be used for the sale, repair, dismantling, or servicing of any materials, products, appliances, equipment, or vehicles.
- iii. *Hours of Operation.* The Outdoor Storage Use shall operate between the hours of 6:00 AM to 10:00 PM. In making an application to the Board of Zoning Appeals, the Applicant shall indicate the intended hours of operation in the site and operations plans. The BZA may limit hours of operation if it finds it necessary to mitigate adverse impacts to adjoining uses and retain neighborhood compatibility.
- iv. *Nuisance Mitigation.* No outdoor storage activity shall create a nuisance or unduly disrupt the allowed uses of other property. Traffic, noise, and odors generated by the activity shall be considered when evaluating this criterion with respect to residential areas.
- v. *Separation Standards.* The Outdoor Storage Use shall not operate within 500 feet of a public or private school, a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas), a residential use, a youth activity center, a public library, or a licensed childcare facility, a lot zoned primarily for residential use, or another existing or entitled (but not yet constructed) outdoor storage (primary use) facility. The Applicant shall indicate the distance of the site from the nearest property that contains a residential use. The Board of Zoning Appeals (BZA) may permit reductions in this separation standard upon demonstration of adequate alternative measures to attenuate noise and other adverse impacts. The Board may consider written consent from the affected adjoining landowner(s) to the reduction and alternative measures proposed.

For the purpose of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the outdoor storage use to the nearest property line of the premises of a religious institution, public or private school, youth activity center, public library, child care facility, or to a residential use; to the nearest boundary of a parcel that contains an existing or entitled (but not yet constructed) outdoor storage (primary use) facility; to the nearest boundary of any residential district or residential lot; and to the nearest active portion of a public park or public recreation area (within the Francis Marion National Forest, includes only designated recreation areas).

- vi. *Management.* All outdoor storage activities shall have a designated manager; and said manager shall be sufficiently bonded to ensure that, in case of abandonment, the site will be rehabilitated and restored, and that all permit conditions regarding the final disposition of the site will be fulfilled. Assurances of bonds or other financial securities shall be submitted to the Department.

- vii. *Contact Information.* The name, address, and phone number of the Applicant and Site Manager.
 - viii. *Storage Specifics.* A description and physical location of materials, vehicles, and/or equipment intended to be stored, including a detailed, step-by-step description of the proposed activities and methods that will be used to ensure that all stored substances will not create objectionable sanitary, aesthetic, or other nuisance conditions. If applicable, describe the methods and procedures for dealing with spills of liquid materials.
 - ix. *Drainage and Maintenance.* The Outdoor Storage yard shall be surfaced with asphalt, concrete, bituminous, gravel, or other material approved by the Board of Zoning Appeals, conform with applicable stormwater management requirements, and be maintained in a clean, orderly, dust-free and weed-free condition at the expense of the Operator.
 - x. *Parking and Access.* The Outdoor Storage use shall contain the number of parking required for "Wholesaling, Warehousing, and Distribution Uses" per Article 15, but in no case shall the number of parking spaces required be less than two (2). The parking and accesses serving the Outdoor Storage use shall be designed and constructed in accordance with Articles 15 and 10.3 of the Berkeley County Zoning and Development Standards Ordinance and Chapter 59, the Land Development and Subdivision Regulations of Berkeley County, as applicable.
 - xi. *Building Code.* The Outdoor Storage use shall meet all applicable fire and building code requirements, as determined by the Chief Building Official or his/her designee, prior to the commencement of operations and at all times thereafter.
 - xii. *All Other Regulations:* The Outdoor Storage Use shall meet all applicable local, state, federal requirements that are not explicitly stated herein prior to the commencement of operations and at all times thereafter.
 - xiii. *Transportation Considerations.* The Applicant shall indicate the roads and transportation corridors that will be used to support the proposed activities, the types of vehicles, estimated numbers of vehicles and trips, and times of day that traffic can be expected to be generated. The Applicant will also furnish to the Department any encroachment permits that are required to be issued for the encroachment of access and/or drainage into publicly maintained roads and/or drainage systems from the entity who maintains said roads and/or drainage systems.
- B. *Commencement.* Construction of the Outdoor Storage Facility and associated site improvements shall not commence until a special exception is issued by the Board, the associated single site development (site) plan is reviewed by all qualifying Departments and, upon demonstrated compliance to the requirements contemplated herein and any additional conditions imposed by the Board, approved in accordance with the processes and requirements set forth in Chapter 59, and all applicable Building, Trades, and other permits have been issued.
- C. *Permit Compliance.* Should the Board of Zoning Appeals (BZA) approve a request for Special Exception, operations shall not commence until the site is inspected by applicable County personnel and deemed to be in conformance with the approved single site development (site) plan, the requirements contemplated herein and any additional conditions imposed by the Board, and applicable authorizations for occupancy have been issued by the Building and Codes Department. The applicant and/or operator shall meet the conditions of the Special Exception permit and this Chapter prior to the commencement of operations and at all times thereafter.

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7.2.7. *Prohibited Uses.* The following uses are prohibited within the general commercial district.

1. Sexually oriented businesses.
2. Mobile home park.
3. All uses not listed as permitted are prohibited.

DENSITY

7.2.8. *Residential Density.*

- A. Residential development shall not exceed a gross density of 10 dwelling units to the acre per project area.
- B. Bonus density may be allowed as set forth in article 13: Bonus Density.

LOT AND BUILDING STANDARDS

Lot and Building Standards

7.2.9. *Lot requirements.*

- A. Minimum lot size: 0.5 acres.
- B. Maximum lot size: Fifty (50) acres

7.2.10. *Minimum yard requirements.* The minimum setbacks shall be:

- A. Front yard: 20 feet minimum.
- B. Side yard: Ten feet minimum, unless buildings are adjoining.
- C. Rear yard: 20 feet minimum.
- D. Accessory structures are permitted in the rear and side yards with minimum of five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in the front yard or that portion of the yard that fronts a second street frontage of the property, the front yard setback or the setback from the second street frontage property line for the accessory structure is the required front setback or second street frontage setback required for the primary structure, as applicable.
- E. Second street frontage: 20 feet minimum.
- F. Open drainage ditch and/or stormwater pond easement lines (excluding swales): 30 feet minimum.
- G. Ingress/egress easements: The minimum distance stated above for front, side, or rear.
- H. Unit Separation: The minimum distance between dwelling units shall be 15 feet on the sides, front, and rear, provided, however, that attached units may have a zero-foot side setback for a common wall.

7.2.11. *Building Requirements.*

- A. Maximum impervious coverage: 80 percent.

- B. Building height will be governed by the current adopted building codes of Berkeley County. After the height limitations are reviewed, the building and/or zoning official may impose additional restrictions. During the required planning and code review the official will give consideration to the structure design and the county's abilities to gain adequate access for firefighting personnel and that such building is designed or is equipped to provide adequate protection against the dangers of fire, and/or that such building is served by an internal fire service organization. The applicant shall incorporate building techniques and safety features as necessary to demonstrate capacity to handle unforeseeable emergencies (such as fires) to the satisfaction of the Fire Marshall.

Building height within the general commercial district will be held to a base height of 40 feet.

1. Height Bonus: Increases in height may be issued at the discretion of the Zoning Administrator or his/her designee in the increments specified below to a maximum building height of 55 feet in accordance with the following parameters. Proposals for height bonuses shall be evaluated as part of site and building plans review; the Zoning Administrator or his/her designee, retains the ability to request any supporting documentation necessary to complete his/her review.
 - a. Where perimeter bufferyards are required, if the applicant provides perimeter bufferyards that are twice the width and contain twice the quantity of plantings minimally required along each perimeter lot line or, in cases where no perimeter bufferyards are required, if the applicant provides perimeter bufferyards along the adjoining lot line(s) that are equivalent to the Type C bufferyard per Article 17.7, add 2.5 feet in allowable height.
 - b. Should the proposed structure be designed to LEED Certification, add 3 feet to allowable height; LEED Silver Certification, add 6 feet to the allowable height; LEED Gold Certification, add 9 feet to the allowable height; and LEED Platinum Certification, add 12 feet to the allowable height. Assurances of certification eligibility will be required before the Single-Site Development (Site) Plans are approved, and applicable building permits issued.
 - c. For every 10% reduction in impervious surface coverage below the required maximum impervious coverage threshold, through creative site design, land setbacks, and/or installation of bona fide Low-Impact Development (LID) techniques based on the *Low Impact Development in Coastal South Carolina: A Planning and Design Guide* or otherwise acceptable technical guidance, add 4 feet to the allowable height to a maximum of 12 feet. The Zoning Administrator or his/her designee retains the ability to request assurances to ensure perpetual maintenance, preservation, and functionality of said improvements and/or setbacks.
 - d. If pedestrian facilities, constructed to a minimum unobstructed width of five feet and compliant to ADA specifications, are provided throughout and connect the intended use(s) to existing and/or proposed sidewalk facilities within the public right of way and adjoining properties, add 2.5 feet to the allowable height.
 - e. If cross accesses and/or shared accesses are provided to neighboring properties, allowing access to adjoining properties without utilizing adjoining public roadways, add 2.5 feet to the allowable height.
 - f. If street trees are provided and maintained in accordance with the Berkeley County Street Tree Planting Standards Manual along all streets or primary access drives proposed to serve the development, add 2.5 feet to the allowable height.

The height limits contained in the airport overlay district, as regulated by article 10, may apply additional height limitations to a specific piece of property.

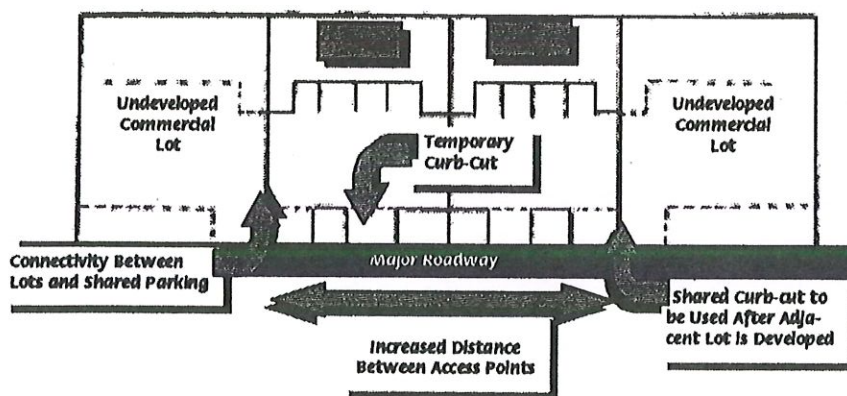
7.2.12. *Parking Standards.*

- A. All uses within this district shall conform to the standards outlined in article 16 [15]: Off-Street Parking Requirements.
- B. All surface parking areas of 50 or more spaces shall be divided by landscaping and/or walkways at least ten feet.

7.2.13. *Bufferyard Standards.* All uses within this district shall conform to the standards outlined in Article 17: Bufferyards or Article 10.3, Arterial Roads Development Standards Overlay District.

7.2.14. *Access management.*

- A. *Intent.* Safe and efficient access to commercial uses minimizes potential vehicular and pedestrian conflicts. Key issues include:
 - 1. Location of median breaks along major thoroughfares.
 - 2. Number and location of entry drives.
 - 3. Design of entry drives.
 - 4. Traffic visibility.
- B. *Requirements*
 - 1. The number, location, and design of project accesses shall comply with the requirements set forth in Chapter 59, *The Land Development and Subdivision Regulations of Berkeley County*.
 - 2. Cross-access shall be established in accordance with Chapter 59, the Land Development and Subdivision Regulations of Berkeley County.



7.2.15. *Single-Site Development (Site) Plan.* A Single-Site Development (Site) Plan, prepared and submitted in accordance with the processes and requirements established in Chapter 59, *The Land Development and Subdivision Regulations of Berkeley County*, is required to be reviewed and, upon demonstrated conformance to all applicable standards, approved prior to commencement of development and/or redevelopment activities. The plan shall also include, at a minimum, the following information.

- A. The *Single-Site Development (Site) Plan* shall also demonstrate conformance to applicable conditional use standards contained herein or specified in Article 11.
- B. The *Single-Site Development (Site) Plan* shall accompany any necessary supporting documentation or materials required for submittal, review, and/or approval per Chapter 59.

11.8. - Storage uses.

11.8.1. *Storage facility (miniwarehouse).*

A. *General conditions.*

1. Facility shall meet all applicable performance standards with regard to lighting, parking lot design, bufferyards, and landscaping as established in Articles 10, 14, 15, and 17.
2. Outdoor Storage shall meet the requirements for found in 11.8.2 Outdoor Storage (Accessory Use).

B. *Front setback.* Minimum 25 feet from the right-of-way or the district minimum, whichever is greater.

C. *Storage siting.* Sites abutting parcels that contain residential-zoning or uses shall orient buildings adjacent to the perimeter so that they face inward with their doors away from such areas.

D. *Building lengths and access.* To ensure ease of access for emergency vehicles:

1. Maximum building length: 300 feet.
2. Minimum spacing between buildings: 30 feet.

E. *Accessory office/apartment.* One management and/or accessory residence shall be permitted.

F. *Signs.* Signs shall not be attached to or displayed on walls or fences used as required screening.

G. *Operating conditions.*

1. The manufacture or sale of any commercial commodity or the provision of any service from the premises is prohibited.
2. Commercial repairs of autos, boats, motors, furniture, or other items on the premises are prohibited.
3. Storage of toxic, hazardous, flammable, explosive, or noxious materials is prohibited.

11.8.2 Outdoor Storage (Accessory Use)

A. Permitted only as an Accessory Use, which also shall be defined as a detached structure or use subordinate to the main building or use classification that is used for purposes customarily incidental to the principal use.

B. Outdoor storage activity shall not exceed 25 percent of the total land area of the principal use and does not include the storage of junked and/or salvaged vehicles, equipment, appliances, or materials otherwise known as junk or salvage yards.

C. The outdoor storage use shall be located to the side or rear of the principal use.

D. Screening. Open storage shall be enclosed by a continuous eight (8) foot opaque visual screen, constructed of wood, brick, or masonry, and buffered in accordance to the requirements as applicable to the principal use as set forth in Article 17.

E. Materials stored. Materials stored in the open shall not be stacked higher than the required screen.

F. All Operating Conditions found in §11.8.1(G) shall be met.

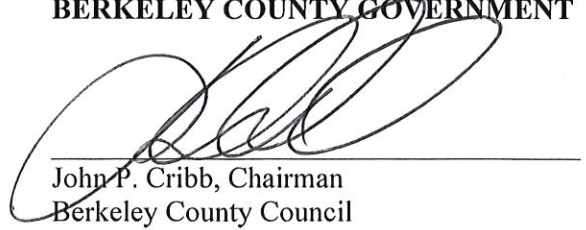
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ADOPTED this 25th day of January, 2021.

21-01-03

BERKELEY COUNTY GOVERNMENT

[SEAL]




John P. Cribb, Chairman
Berkeley County Council

Attest:

Suzanne Burckhalter

Suzanne Burckhalter
Clerk to Berkeley County Council

Approved as to form:

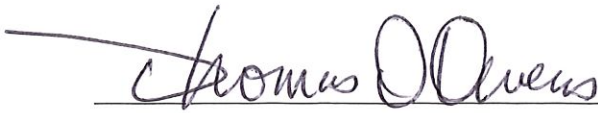


John O. Williams
Berkeley County Attorney

First Reading: October 26, 2020
Second Reading: November 23, 2020
Public Hearing: January 25, 2021
Third Reading: January 25, 2021

21-01-03

MEMBERS OF COUNTY COUNCIL



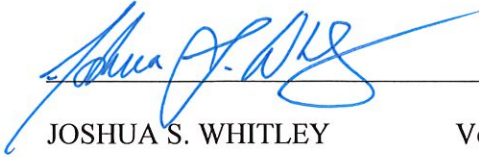
THOMAS D. OWENS

Voting Aye



BRANDON COX

Voting Aye



JOSHUA S. WHITLEY

Voting Aye



JACK H. SCHURLKNIGHT

Voting Aye



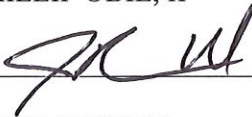
PHILLIP OBIE, II

Voting Aye

Excused

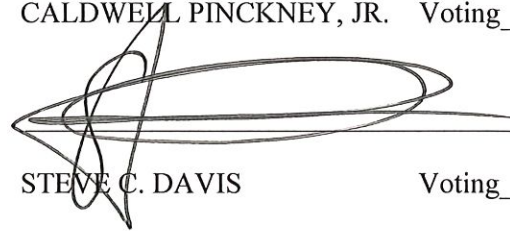
CALDWELL PINCKNEY, JR.

Voting —



JOE T. NEWELL

Voting Aye



STEVE C. DAVIS

Voting Aye