THE CITY OF
GOOSE CREEK
BERKELEY CO. EST. 1961 SO. CAROLINA

TITLE XV: LAND USAGE
Chapter 151: Unified Development Ordinance

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Section One: Introductory Provisions

1.1 Title, Purpose, & Applicability

(A) Title. This Ordinance shall officially be known as "The Unified Development Ordinance of the City of Goose Creek, South Carolina," and may be referred to as "the UDO" or "this Ordinance."

(B) Statutory Authority. The City Council is authorized to adopt this Ordinance in accordance with the enabling authority in Title 6 of the Code of Laws of South Carolina (1976), as amended, and including all provisions located elsewhere in the Code citing any applicable authority. Whenever any provision of this Ordinance refers to or cites a section of the Code of Laws of South Carolina and that section is later amended, this Ordinance shall be deemed amended to refer to the amended section.

(C) Purpose of this Ordinance. The purpose and intent of this Ordinance is to guide development in accordance with the City's Comprehensive Plan and existing and future needs of the City in order to protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. This Ordinance is enacted and designed to exercise the full range of authority available to the City in accordance with state law to:

(1) Provide for adequate light, air, and open space;

(2) Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;

(3) Facilitate the creation of a convenient, attractive, and harmonious community;

(4) Protect and preserve scenic, historic, or ecologically sensitive areas;

(5) Regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, water supply, sanitation, protection against floods, public activities, and other purposes in a way that maintains strong neighborhoods and protects their character, provides for a broad range of housing choices, and supports greater intensity of development at strategic locations;

(6) Facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements.

(7) Secure safety from fire, flood, and other dangers;

(8) Facilitate the harmonious, orderly, and progressive development of land within the City that maintains strong neighborhoods and protects their character;

(9) Encourage development of land within the City that renders it economically sound;

(10) Assure the timely provision of required streets, utilities, and other facilities and services to new land developments;

(11) Assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments that support development patterns that are well connected and support multiple modes of travel;

(12) Assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes;

(13) Assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with official community plans for future development; and

(14) Carrying out such other purposes in the public interest as may be specifically cited in this Ordinance.

(D) Applicability. The provisions of this Ordinance apply to the development of any land within the City, unless expressly exempted by a specific section, subsection, or paragraph of this Ordinance. Development shall not occur except in accordance with the requirements of this Ordinance and all other applicable city, state, and federal ordinances, laws, statutes, and regulations. No development shall occur until the required development approvals and permits are obtained in accordance with the requirements of this Ordinance and any applicable design guidelines. Zoning permits are good for six months from the date of issuance and may be renewed on a case-by-case basis for good cause. Occupancy permits shall be issued upon approval of the Zoning Administrator and Building Official. Development undertaken without required development approvals and permits is a violation of this Ordinance.

(E) Activities Constituting Development. Unless expressly exempted by this Ordinance, the following activities shall be considered development subject to this Ordinance:

(1) Any construction, reconstruction, erection, installation, placement, relocation, demolition, or alteration in the size or external appearance of a structure;

(2) Any establishment, re-establishment, or change in a use of a structure or land;

(3) Any change in the intensity of the use of a structure or land, such as an increase in:

(a) The number of businesses, establishments, offices, dwelling units, or lodging units comprising the use.

(b) The number of parking spaces or amount of impervious cover.

(c) The number of products or services provided by the use.

(4) Any alteration of the natural topography of land, such as mining, grading, ditching, extracting earth materials, dredging, excavation, filling, or deposition of soil;

(5) Removal of vegetative cover, such as site clearing or the removal of specimen trees or significant stands of trees;

(6) The construction or extension of any utility service line or facility; or

(7) Any subdivision of land.

(F) Homes for the Handicapped Exemption. This Ordinance does not apply to the use of a home providing 24-hour care to nine or fewer mentally or physically handicapped persons, approved and/or licensed, in accordance with Sec. 6-29-770(E), S.C. Code of Laws (1976), as amended.

(G) Comprehensive Plan. This Ordinance is intended to ensure that all development within the City's jurisdiction is in substantial accordance with the Comprehensive Plan and implements the planning policies adopted as part of the Comprehensive Plan in furtherance of the general health, safety, and welfare of the City's citizens, pursuant to Sec. 6-29-510-540, S.C. Code of Laws (1976), as amended.

(H) Relationship to Other Laws, Covenants, or Deeds.

(1) If a provision of this Ordinance is inconsistent or conflicts with another provision of this Ordinance or with a provision found in other adopted ordinances or codes of the City, the more restrictive provision shall govern unless the terms of the more restrictive provision specify otherwise. The more restrictive provision is the one that imposes greater restrictions or burdens, or more stringent controls.

(2) When there is a conflict between an overlay zoning district and an underlying base zoning district, the provisions of the overlay district shall control. When there is a conflict between provisions of two or more applicable overlay zoning districts, unless otherwise stated in this Ordinance, the more restrictive provision applies.

(3) When it is possible to implement, administer, or construe a particular provision of this Ordinance in more than one way, it shall be implemented, administered, or construed in a way that eliminates or minimizes conflicts with other provisions of this Ordinance.

(4) If the provisions of this Ordinance are inconsistent or conflict with the laws or regulations of the state or federal government, the more restrictive provision shall control, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or burdens, or more stringent controls.

(5) The City shall not be responsible for monitoring or enforcing private easements, covenants, deed restrictions, or other agreements between private parties. Private easements, covenants, and restrictions notwithstanding, all development, unless expressly exempted by this Ordinance, shall comply with or may exceed the minimum requirements of this Ordinance.

(6) In accordance with State Law Sec. 6-29-1145, Code of Laws of South Carolina (1976), as amended, application forms and/or instructions for land development permits or approvals other than those authorizing the building or placement of a structure on a tract or parcel of land shall inquire whether the subject tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the proposed activity. If the City has actual notice of such a restrictive covenant, whether from the application or other source, the City shall not issue approval of the permit unless the City receives written confirmation and proof from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders, or by court order. The issuance of a development approval or permit does not affect the applicant's obligations under any recorded covenants.

(7) The City of Goose Creek shall notify the commander of the Naval Support Activity Charleston, as required by the Federal Defense Facilities Utilization Integrity Protection Act, as amended, prior to any public hearing regarding zoning and land development within 3,000 feet of the installation. The City shall supply public notice to the commander thirty (30) days prior to the public hearing, along with a written report with the findings required in the Act.

(I) Vested Rights. A vested right is established in accordance with State Law, Sec. 6-29-1501-1560, Code of Laws of South Carolina (1976), as amended, only upon the approval or conditional approval of a site-specific development plan in accordance with the standards and procedures of this Ordinance. A vested right established in accordance with this section is subject to the conditions and limitations as prescribed by state law. A vested right for a site-specific development plan shall expire two years after vesting. No extensions of the vested right are authorized. Any requests for an extension of a vested right shall be denied. A vested site-specific

development plan may be amended if the amendment conforms to or does not cause greater nonconformity with the current provisions of this Ordinance. Approval or conditional approval of an amendment to an established vested right does not reset its expiration period. No vested rights are established for phased development plans, including approved or conditionally approved phased development plans and including phased development plans applicable to property proposed for annexation. An approved or conditionally approved site-specific development plan is required prior to approval with respect to each phase of a phased development plan.

(J) Severability. It is the legislative intent of the City Council in adopting this Ordinance that all provisions shall be liberally construed to implement the City's Comprehensive Plan and guide development in accordance with the existing and future needs of the City as established in the Comprehensive Plan and this Ordinance and to promote the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the landowners and residents of the City. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity and continued enforcement of any other section, subsection, sentence, clause, or phrase of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and any section, subsection, sentence, clause, and phrase, thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid by a court of competent jurisdiction.

1.2 Zoning Map

(A) Establishment & Maintenance.

(1) Land subject to this Ordinance is divided into various base and overlay zoning districts. The location and boundaries of the zoning districts are shown on the Official Zoning Map. The Official Zoning Map, including all its notations, is incorporated herein by reference and made part of this Ordinance. The Official Zoning Map shall be the final authority as to the status of the zoning district classification of land in the City.

(2) The original and all revised versions of the Official Zoning Map shall be kept on file, in either hardcopy or digital form, in the office of the Zoning Administrator. The Official Zoning Map shall be made available for public inspection at the office of the Zoning Administrator during normal business hours.

(3) The Zoning Administrator shall enter changes onto the Official Zoning Map within a reasonable period of time after a map amendment is adopted by the City Council. Where the ordinance enacting a zoning district boundary change

contains wording explaining or clarifying the location of the new boundary, the Zoning Administrator may enter on the Official Zoning Map notations reflecting the ordinance wording.

(B) Official Zoning Map. In order to carry out the purpose of this Ordinance and to allow a variety of uses in different districts which are appropriate in location, arrangement, and density to the character of the individual districts and the establishment of a well-considered pattern of development for the City of Goose Creek, all real property located within the corporate boundaries of the City of Goose Creek are hereby divided into districts as shown on the Official Zoning Map which, together with all explanatory matter, is incorporated by reference and declared to be a part of this Ordinance.

(C) Interpretation of the Official Zoning Map. The Zoning Administrator is authorized to determine the location of zoning district boundaries. Where uncertainty exists with respect to the boundaries of districts shown on the Official Zoning Map, the following rules shall apply to the interpretation of those boundaries:

(1) District boundaries indicated as approximately following the centerlines of streets, highways, alleys, or other public access ways shall be construed to follow those centerlines.

(2) District boundaries indicated as approximately following property lines shall be construed as following those property lines. If a subsequent minor adjustment (such as from a court ordered settlement of a boundary dispute or overlap) results in a property line moving ten feet or less, the zoning district boundary shall be interpreted as moving with the property line.

(3) District boundaries indicated as approximately following city limits shall be construed as following city limits.

(4) District boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

(5) District boundaries indicated as following centerlines of rivers, streams, or other watercourses shall be construed to follow those centerlines.

(6) District boundaries indicated as approximately parallel to, or extensions of features identified in subsections above shall be construed to be parallel to or extensions of such features.

(7) Insofar as some or all of the various districts may be indicated on the zoning map by patterns that, for the sake of map clarity, do not cover public rights-of-way, it is intended that such district boundaries do extend to the center of the rights-of-way.

(8) Where a discrepancy exists between the depictions on the Official Zoning Map and the text of a legal description accompanying an ordinance for zoning map change duly adopted by the City Council, the text of the legal description shall control.

(D) Newly Annexed Land. Any new land annexed into the City of Goose Creek shall be in accordance with a zoning map amendment and shall be a city zoning district

classification that the Planning Commission recommends is consistent with the proposed and existing land uses in the area, relevant Comprehensive Plan policies, and is in the best interest of the City of Goose Creek. The zoning district classification shall be specified in the annexation ordinance considered by the City Council and shall become effective on the effective date of the annexation.

1.3 Amendments

(A) Intent. Map or text amendments may be proposed by the City Council, Planning Commission, City Administrator, or Zoning Administrator. Property owners may request map amendments. If another person or entity is representing the property owner(s) in the amendment request, a letter or affidavit of agency or Power of Attorney must be submitted with the application.

(B) Application. An application for an amendment shall be filed with the Zoning Administrator, who shall transmit copies thereof to the Planning Commission and to the City Council. A fee established by the City Council shall accompany every application for an amendment. An application deadline shall be established by the Zoning Administrator giving adequate time for public notice and case summary to be prepared.

(C) Review. Staff shall review the application for completeness and compose a staff report. The Planning Commission shall review and make recommendations to the City Council on proposed amendments to this Ordinance. The Commission shall make such recommendation within 30 days of the receipt of the application. Upon the expiration of the 30-day time limit, if the Planning Commission has not made a recommendation, the City Council may proceed to act as it deems proper. The approval of an application or an amendment by Council shall be based on two readings via ordinance at least six (6) days apart.

(D) Public Hearing. A public hearing shall be held by the City Council before enacting or amending any zoning regulations or maps. Notices of such shall be handled as follows:

(1) The Zoning Administrator shall give notice in a newspaper of general circulation in the City of Goose Creek at least 15 days before the public hearing of a Zoning Map Amendment and at least 30 days before the public hearing of a Text Amendment to this Ordinance. If the proposed amendment is to the Zoning Maps, the notice shall specify the location, current zoning, and proposed zoning of the property involved.

(2) At least 15 days prior to the public hearing, the Zoning Administrator shall cause at least one sign to be posted on, or adjacent to, the property in question (if the application is a proposed map amendment). This sign shall contain the nature of the requested change and time, date, and place of the public hearing, and shall be located so that it is visible from each public

thoroughfare that abuts the property. For proposed map amendments that involve large areas (ex. corridors, overlay districts, mass re-zoning), the Zoning Administrator shall install multiple signs at strategic locations throughout the proposed amendment area; however, signs will not be placed on each property affected.

(3) If there is a list of groups that have expressed an interest in being informed of zoning proceedings, notice of such meetings must be mailed to these groups. Use of email, group postings, and a webpage may be utilized.

(E) Resubmittal. A map amendment request, which has been denied for the same property or substantially the same property, shall not be resubmitted within 12 months from the date of denial in the same form as previously submitted. This shall not prohibit resubmittal if new facts are uncovered or a different zoning district requested.

Section Two: Administration

2.1 City Council

(A) Powers and Duties. To exercise its authority in accordance with state law, the City Council shall have the following powers and duties under this Ordinance:

(1) To review and decide text amendments, zoning map amendments, planned developments, and development agreements, and to accept or deny acceptance of rights-of-way, when required or voluntarily dedicated on plats or through written documents, prior to recording with the Register of Deeds Office.

(2) To establish a schedule of fees and a collection procedure for applications for development approvals and permits reviewed under this Ordinance. The schedule of fees shall be available in the office of the Zoning Administrator and may be altered or amended only by the City Council.

(3) To appoint and remove in accordance with state law and this section members of the Planning Commission and Board of Zoning Appeals. In the appointment of members, Council shall consider their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the City.

(4) To carry out any other powers and duties delegated to it in accordance with state law.

2.2 Planning Commission

(A) Establishment. The Planning Commission is hereby established in accordance with state law under this Ordinance.

(B) Powers and Duties. The Planning Commission shall have the following powers and duties under this Ordinance:

(1) To entrust the review of subdivisions, land development and items outlined in S.C. Code §6-29-540 to the City Planner for approval or denial.

(2) To review and make recommendations to the City Council on text amendments, zoning map amendments, Comprehensive Plan elements, and planned developments.

(3) To review and decide applications for street or road names.

(4) To review and decide applications for appeals of land development (subdivision) decisions/regulations as interpreted by the Zoning Administrator.

(5) Where the Planning Commission finds that extraordinary hardships derived from practical difficulties may result from strict compliance with the Land Development and Subdivision Standards and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, the

Planning Commission may approve a waiver from the land development and subdivision standards so that substantial justice may be done and the public interest secured, provided that the modification does not have the effect of nullifying the intent and purpose of these regulations; further provided, the Planning Commission shall not grant a waiver unless it makes findings based upon the evidence presented to it in each specific case that all of the following criteria apply:

(a) The granting of a waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;

(b) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;

(c) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result – as distinguished from a mere inconvenience or financial disadvantage – if the strict letter of these regulations is carried out; and

(d) The modification sought will not in any manner be in conflict with the provisions of zoning standards of this Ordinance or the policies of the Comprehensive Plan.

(e) In approving a waiver, the Planning Commission may require such conditions as will, in its judgment, secure substantially the intent and policies described in this chapter.

(6) To carry out any other powers and duties delegated to it in accordance with state law.

(C) Membership and Terms. The Planning Commission shall consist of seven (7) qualified electors appointed by the City Council. No member of the Planning Commission shall hold an elected public office in the City or in the County. Members shall be appointed for three-year terms. Members may continue to serve until their successors are appointed. Members of the Planning Commission on the date this Ordinance is adopted shall continue to serve until their respective terms expire according to the rules in place when they were appointed unless they are removed for cause. The City Council may remove a member of the Planning Commission for cause. Cause may include, but is not limited to, nonattendance at meetings, not maintaining required qualifications, or deemed to adversely affect the public interest. The determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause, after discussion in executive session determining the existence of cause. Vacancies, for whatever reason, shall be filled by the City Council for the balance of an unexpired term.

(D) Officers, Rules of Proceeding, and Meetings. The Planning Commission shall elect one (1) of its members Chair and another Vice-Chair, each for a term of one (1) year.

The Planning Commission shall adopt rules for the conduct of business. The Planning Commission shall meet at the call of the Chair and at such regular times as the Commission may determine. Public notice of meetings of the Planning Commission shall be provided in accordance with state law and this Ordinance. A majority of the Planning Commission shall constitute a quorum for the conduct of business. The Chair shall preside over all Commission meetings. The Vice-Chair shall serve as acting chair and preside over Commission meetings in the absence of the Chair. If both the Chair and Vice-Chair are absent, the Planning Commission shall vote to determine who shall serve as acting Chair for the meeting. The Chair, or, in the Chair's absence, the acting Chair, may administer oaths and compel the attendance of witnesses by subpoena. The Planning Commission shall keep minutes of its proceedings in accordance with state law, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep a record of its resolutions, findings, and determinations, which shall be a public record.

2.3 Board of Zoning Appeals

(A) Establishment. The Board of Zoning Appeals is hereby established in accordance with state law under this Ordinance.

(B) Powers and Duties. The Board of Zoning Appeals shall have the following powers and duties under this Ordinance.

(1) Administrative Appeal. To hear and decide appeals where it is alleged there is an error in an order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance;

(2) Variance. To hear and decide appeals for variance from the requirements of this Ordinance when strict application of the provisions of this Ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

(a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;

(b) These conditions do not generally apply to other property in the vicinity;

(c) Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

(d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

(1) The Board may not grant a variance, the effect of which would be to allow the establishment of a use not otherwise permitted

in a zoning district, to extend physically a nonconforming use of land or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, if a variance is granted, may not be considered grounds for a variance. Other requirements may be prescribed by this Ordinance.

(3) Special Exception. To permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in this Ordinance; and upon a finding that the following standards are met:

- **(a)** The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety in general reliance upon a Traffic Impact Analysis (TIA), as applicable, at the time of plan submittal for permitting.
- **(b)** The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.
- **(c)** The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings.
- **(d)** The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response.
- **(e)** The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.
- **(f)** The proposed special exception is compatible with the general character and purpose of the district and location in which it is proposed.
- **(g)** The proposed special exception use will comply with all applicable standards for development (municipal, state, federal) as applicable.

(4) Remand. To remand a matter to the Zoning Administrator, upon motion by a party or the Board's own motion, if the Board determines the record is insufficient for review. A party's motion for remand may be denied if the Board determines that the record is sufficient for review. The Board must set a rehearing on the remanded matter without further public notice for a time certain within 60 days unless otherwise agreed to by the parties. The Board must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing and notice of the rehearing must be mailed to these persons prior to the rehearing.

(5) Other Powers or Procedures.

(a) In granting a variance or special exception, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

(b) To carry out any other powers and duties delegated to it by the City Council, in accordance with state law.

(c) Appeals to the Board may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality. The appeal must be taken within 30 days from the date the appealing party has received actual notice of the action from which the appeal is taken by filing with the officer from whom the appeal is taken and with the Board of Appeals notice of appeal specifying the grounds for the appeal. The officer from whom the appeal is taken must immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

(d) An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed other than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(e) The Board must fix a reasonable time for the hearing of the appeal or other matter referred to the Board and give at least 15 days public notice of the hearing in a newspaper of general circulation in the community, as well as due notice to the parties in interest, and decide the appeal or matter within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

(f) At least 15 days prior to the public hearing, the Zoning Administrator shall cause at least one sign to be posted on, or adjacent to, the property in question (if the application is a proposed variance or special exception). This sign shall contain the nature of the request and the time, date, and place of the public hearing, and shall be located so that it is visible from each public thoroughfare that abuts the property.

(g) In exercising the above power, the Board of Appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a

permit. The Board, in the execution of the duties specified in this chapter, may subpoena witnesses and in case of contempt may certify this fact to the Circuit Court having jurisdiction.

(h) All final decisions and orders of the Board must be in writing and be permanently filed in the office of the Board as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board which must be delivered to parties of interest by certified mail.

(i) A person who may have a substantial interest in any decision of the Board of Appeals or an officer or agent of the appropriate governing authority may appeal from a decision of the Board to the Circuit Court in and for the County, by filing with the Clerk of the Court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the decision of the Board is mailed.

(j) A request that has been denied cannot be resubmitted within 12 months after denial for the same request unless substantial changes or new information is submitted.

(C) Membership and Terms. The Board of Zoning Appeals shall consist of five (5) qualified electors appointed by the City Council. No member shall hold any other public office or position in the City or County. Members shall be appointed for three-year terms. Members may continue to serve until their successors are appointed. Members of the Board of Zoning Appeals on the date this Ordinance is adopted shall continue to serve until their respective terms expire according to the rules in place when they were appointed unless they are removed for cause. The City Council may remove a member of the Board of Zoning Appeals for cause, after written notice and a public hearing. Cause may include, but is not limited to, non-attendance at meetings. Vacancies, for whatever reason, shall be filled by the City Council for the balance of an unexpired term.

(D) Officers, Rules of Proceeding, and Meetings. The Board of Zoning Appeals shall elect one (1) of its members Chair and another Vice-Chair, each for a term of one (1) year. The Board of Zoning Appeals shall adopt rules for the conduct of business. The Board of Zoning Appeals shall meet at the call of the Chair and at such regular times as the Board may determine. Public notice of meetings of the Board of Zoning Appeals shall be provided in accordance with state law and this Ordinance. A majority of the Board of Zoning Appeals shall constitute a quorum for the conduct of business. The Chair shall preside over all Board meetings. The Vice-Chair shall serve as acting Chair and preside over the Board meetings in the absence of the Chair. If both the Chair and Vice-Chair are absent, the Board of Zoning Appeals shall vote to determine who shall serve as acting Chair for the meeting. The Chair, or, in the Chair's absence, the acting Chair, may administer oaths and compel the attendance of witnesses by subpoena. Public notice of all meetings where regular business may

be conducted shall be provided by publication in a newspaper of general circulation. In cases involving variances or special exceptions, conspicuous notice shall be posted on or adjacent to the property affected. The Board of Zoning Appeals shall keep minutes of its proceedings in accordance with state law, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep a record of its official actions, findings, and determinations, which shall be a public record.

2.4 Staff

(A) Planning and Zoning Authority. The Planning and Zoning Department under the direction of Planning & Zoning Director (Zoning Administrator) is designated to administer, interpret, and enforce all provisions of this Ordinance. The Zoning Administrator may delegate any administrative decision or review authority under this Ordinance to any professional-level City Staff member. This Ordinance refers to the person or persons to whom these functions are assigned as the "Zoning Administrator" or "City Planner". The terms "Staff", "Administrator", “Planning Official”, and "Planner" may be used interchangeably with the positions "Zoning Administrator" and "City Planner" for the purposes of this Ordinance. The City Administrator shall determine the departmental assignments of these positions.

(B) Powers and Duties. The Zoning Administrator shall have the jurisdiction, authority, and duties described below, including, but not limited to:

(1) Any powers and duties delegated to Staff by the Planning Commission per state law.

(2) To enforce, interpret, and administer this Ordinance, receive and review all applications required by this Ordinance, and issue applicable permits.

(3) To keep the records of the planning department, including, without limitation, records of applications and reports rendered. The Zoning Administrator shall maintain records of all final determinations, decisions, and recommendations of boards and commissions.

(4) To maintain the Official Zoning Maps and designate on the Official Zoning Maps all map amendments granted under the terms of this Ordinance.

(5) To designate Staff to assist in the daily administration of the duties and responsibilities set forth in this Ordinance.

(6) When the interests of the City so require, make investigations in connection with matters referred to in this Ordinance and render action on the same.

(7) To conduct preliminary consultations with potential applicants regarding development proposals regulated by this Ordinance.

(8) To issue permits upon a determination that such permit application is in full compliance with all terms and provisions of this Ordinance.

(9) To serve as Staff and render technical advice on all such matters requiring action by City Council and all boards and commission.

(10) To review/approve for recording plats and subdivisions of land, and all commercial site plans, which meet all zoning requirements.

(11) To perform such other duties as may be directed in accordance with the provisions of this Ordinance or the City Administrator.

2.5 Zoning Permit

(A) Applicability. A zoning permit and/or zoning approval shall be required prior to any change in use, land disturbance, building permit, construction, or expansion of any building, parking lot, or other facility for which a building permit is required, or placement of any signage.

(B) Site Plan. The applicant shall demonstrate upon application for a zoning permit the ability and intent to meet all zonings standards and documentation requirements via submittal of a site development plan.

2.6 Building Permit

(A) Applicability. The developer in receipt of a zoning permit and/or zoning approval shall be eligible to apply for a building permit. All standards for review and approval shall be found in the building code adopted by the City of Goose Creek.

(1) Proposals of construction and reconstruction shall secure a building permit from the City of Goose Creek where such is required by the building code adopted by the City of Goose Creek, as amended, except that public utilities installing and repairing transmission lines, poles, and substations shall be exempt.

(2) The purposes of building code administration shall be those found in the building code adopted by the City of Goose Creek, as amended.

2.7 Certificate of Occupancy

(A) Applicability. A developer or other applicant in receipt of a building permit and/or zoning permit shall obtain a certificate of occupancy prior to taking residence or commencing business in the structure for which the permit is received.

(B) Purpose. Application for a certificate of occupancy signals to the Building Official and the Zoning Administrator that construction and site improvements specified in applications for a building permit and a zoning permit are complete or, where allowed, are financially guaranteed.

Section Three: Zoning and Overlay Districts

(A) Intent. The following districts are hereby established for the corporate limits of the City of Goose Creek, and land within said areas shall be designated on the Official Zoning Map. The regulations set out the district's purpose, the intensity, and dimensional standards applicable in the district. Standards governing development in an overlay zoning district shall apply in addition to, or instead of, the standards governing development in the underlying base zoning district. If the regulations governing an overlay district expressly conflict with those governing an underlying base zoning district, the regulations governing the overlay district shall control, unless expressly stated to the contrary.

3.1 Conservation District (C)

3.2 Residential Single-Family District (RSF)

3.3 Residential Mixed District (RM)

3.4 Village Node District (VN)

3.5 General Commercial District (GC)

3.6 Employment Campus District (EC)

3.7 Light Industrial District (LI)

3.8 Heavy Industrial District (HI)

3.9 Planned Development District (PD)

3.10 Flexible Review District (FRD)

3.11 Naval Support Activity Charleston (NSAC)

3.12 Red Bank District Overlay (RBD)

3.13 Central Creek District Overlay (CCD)

3.1 Conservation District (C)

(A) Purpose

The purpose of the Conservation (C) District is to provide land that is undeveloped or developed at a very low density and to conserve land.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (acres)	N/A
Lot Width, min. (ft.)	N/A
Impervious Surface Ratio, max. (%)	10%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	30
Side Yard Setback, min. (ft.)	30
Rear Yard Setback, min. (ft.)	30
Building Height, max. (ft.)	50

3.2 Residential Single-Family District (RSF)

(A) Purpose

The purpose of the Residential Single-Family (RSF) District is to provide lands that accommodate primarily single-family detached dwellings at moderate densities. The district also accommodates parks and recreation centers. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (sqft)	7,000
Lot Width, min. (ft.)	60
Lot Depth, min. (ft.)	80
Impervious Surface Ratio, max. (%)	45%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	20
Side Yard Setback, min. (ft.)	8
Rear Yard Setback, min. (ft.)	15
Building Height, max. (ft.)	40

3.3 Residential Mixed District (RM)

(A) Purpose

The purpose of the Residential Mixed District is to provide lands that accommodate a walkable, moderate density mix of residential development that allows single-family, two-family, townhouse, scaled multi-family dwellings, parks/ recreation, and limited convenience uses.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	Single Family	Townhouse	Two-Family	Four Unit	Eight Unit	All Other Uses
Lot Area, min. (sqft)	5,000	10,000[1] 2,000[2]	7,500	12,000	12,000	5,000
Lot Width, min. (ft.)	40	75[1] 20[2]	50	80	80	50
Lot Depth, min. (ft.)	70	100	80	80	80	70
Impervious Surface Ratio, max.	65%	75%	65%	75%	75%	75%
Density, max. (du/acre)	N/A	N/A	8	8	8	N/A
Front Yard Setback, min. (ft.)	15	15	15	15	15	15
Side Yard Setback, min. (ft.)	5	0/5/15[3]	10	15	20	10
Rear Yard Setback, min. (ft.)	10	15	15	15	20	10
Building Height, max. (ft.)	40	40	40	40	40	40

[1] Applies to the development lot as a whole rather than individual lots under individual units.
[2] Applies to individual townhouse lots under individual units.
[3] Zero (0) feet minimum between internal units / five (5) feet minimum for each end unit / fifteen (15) feet minimum for each unit abutting any right-of-way.

3.4 Village Node District (VN)

(A) Purpose

The purpose of the Village Node (VN) District is to provide lands that accommodate a broad range of pedestrian-oriented commercial development in an urban, mixed-use context. The district is intended to accommodate a wide range of residential, civic, and commercial development. Flexibility from conventional use and bulk requirements is provided to promote urban-density and mixed uses within a pedestrian oriented streetscape. Allowed uses include mixed-use, offices, personal services, retail sales and services, and restaurants.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard		All Uses
Lot Area, min. (acres)		N/A
Lot Width, min. (ft.)		N/A
Impervious Surface Ratio, max. (%)		85%
Density, max. (du/acre)		N/A
Front Yard Setback, min. (ft.)	Min.	20
	Max.	20
Side Yard Setback, min. (ft.)		N/A
Rear Yard Setback, min. (ft.)		5
Building Height, max. (ft.)		50

3.5 General Commercial District (GC)

(A) Purpose

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto oriented, serving isolated commercial areas outside of the activity centers. Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, restaurants, visitor accommodation, and vehicle sales and services.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (acres)	N/A
Lot Width, min. (ft.)	N/A
Impervious Surface Ratio, max. (%)	85%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	20
Side Yard Setback, min. (ft.)	N/A
Rear Yard Setback, min. (ft.)	15
Building Height, max. (ft.)	50

3.6 Employment Campus District (EC)

(A) Purpose

The purpose of the Employment Campus (EC) District is to provide lands that accommodate a mix of employment, research and development, and light industrial development, with an expectation of high-quality design, typically within a campus setting. Development allowed in the EC District includes office, institutional, light industrial, research, and similar employment uses. Allowed uses include trade schools, offices, research and medical laboratories, and medium-intensity manufacturing, as well as uses such as mixed-uses, restaurants, and retail sales and services that are supportive of principal employment-based uses.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Site area, min. (acres)	5
Lot Width, min. (ft.)	75
Impervious Surface Ratio, max. (%)	85%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	25
Side Yard Setback, min. (ft.)	25
Rear Yard Setback, min. (ft.)	25
Building Height, max. (ft.)	75

(D) General Provisions for Employment Campus District.

(1) Applicability. The EC District is established to provide an aesthetically attractive urban working environment intended to promote desirable economic development activities, including high-technology, research and development, testing, and specialized manufacturing establishments, as well as professional offices and business incubators. The district is also intended to:

- **(a)** Encourage compact development, primarily with multi-story buildings.
- **(b)** Encourage mixed-use development in appropriate locations.
- **(c)** Provide readily accessible services for employees.
- **(d)** Improve pedestrian, bicycle, and transit connections to and through employment campuses.
- **(e)** Encourage building and site design that advances the City's sustainability goals.
- **(f)** Maintain and improve the quality of the natural landscape within employment campuses.

(g) Provide appropriate transitions to surrounding land uses.

(h) Facilitate preservation, development, or redevelopment consistent with the adopted goals, objectives, policies, and recommendations of the Comprehensive Plan and adopted neighborhood, corridor, or special area plans.

(i) Facilitate development with multiple buildings.

(2) Screening. Outdoor storage shall be effectively screened with screening between six (6) and eight (8) feet in height. Storage shall not exceed the height of the screening. Storage and loading areas shall be screened from direct view from the street, including views down access driveways. All business activities shall be conducted within completely enclosed buildings, except:

(a) Off-Street parking and off-street loading

(b) Outdoor display and outdoor storage

(c) Temporary outdoor events

(d) Outdoor eating, cooking, and service areas associated with food and beverage establishments

(e) Solar energy systems and wind energy systems

(f) Bicycle-sharing facilities

(g) Farmer's markets

(h) Outdoor recreation

(i) Agricultural activities

(3) Parking Design.

(a) Off-street parking shall not be located within front or street side yard setbacks but may be located within the rear yard and interior side yard setbacks and the building envelope.

(4) Master Plan. A master plan for each employment campus shall be prepared as part of any rezoning submittal. The plan must be approved by the Planning Commission and include the following:

(a) A site plan, including:

(1) Conceptual plan showing lots and approximate building footprints, parking, and service areas.

(2) Landscape plan and landscape design standards.

(3) Street layout and street design standards.

(4) Signage and street graphics standards.

(5) Screening Plan

(6) Stormwater management plan.

(b) Plan submittal and review procedures for individual sites within the campus.

(c) A parking plan, meeting the standards of this chapter for automobile and bicycle parking.

(5) Design Review. All buildings constructed within the EC District shall be reviewed and approved by Staff.

(6) Changes to the Master Plan. No alteration of an approved Master Plan shall be permitted unless approved by the Planning Commission, provided, however, the Zoning Administrator may approve minor alterations that are consistent with the concept approved by the Planning Commission.

3.7 Light Industrial District (LI)

(A) Purpose

The purpose of the Light Industrial (LI) District is to provide lands that allow light industrial development. Development allowed in the LI District includes wholesaling, distribution, storage, processing, research and development, light manufacturing, and related development. The district also accommodates support uses such as office and limited commercial uses that primarily serve the principal industrial uses.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Site area, min. (acres)	1
Lot Width, min. (ft.)	N/A
Impervious Surface Ratio, max. (%)	90%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	25
Side Yard Setback, min. (ft.)	25
Rear Yard Setback, min. (ft.)	25
Building Height, max. (ft.)	75

3.8 Heavy Industrial District (HI)

(A) Purpose

The purpose of the Heavy Industrial (HI) District is to provide lands that accommodate intense industrial development that generally requires large sites, as well as industrial uses that are important to the City's economic growth but may impact adjacent lands. The uses generally involve greater potential for adverse off-site impacts on the environment and surrounding development (e.g., from dust, fumes, smoke, odor, noise, or vibration, or due to extensive movement of vehicles, materials, and goods). Allowed uses include heavy manufacturing, warehouse distribution, wholesale sales, major utility facilities, and research laboratories. District regulations are intended to encourage the reuse of existing industrial development. District development is intended to include buffers and the use of mitigation techniques to ensure heavy industrial development mitigates potential impacts to surrounding neighborhoods.

(B) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Section 4: Use & Standards.

(C) Intensity and Dimensional Standards

Standard	All Uses
Site area, min. (acres)	2
Lot Width, min. (ft.)	N/A
Impervious Surface Ratio, max. (%)	100%
Density, max. (du/acre)	N/A
Front Yard Setback, min. (ft.)	50
Side Yard Setback, min. (ft.)	50
Rear Yard Setback, min. (ft.)	50
Building Height, max. (ft.)	75

3.9 Planned Development District (PD)

(A) Purpose

The purpose of the Planned Development (PD) District is to encourage integrated and well-planned mixed-use development in locations throughout the City. A range of residential and nonresidential uses are allowed, with the intent of providing a variety of housing options and mutually supportive nonresidential uses that serve the residents and the surrounding neighborhood. Substantial flexibility is provided, with an expectation that development quality will surpass what is otherwise achievable through the base zoning district. District standards shall support the efficient use of land and resources, protect natural features and the environment, promote greater efficiency in providing public facilities and infrastructure, and mitigate potential adverse impacts on surrounding development.

(B) Intensity and Dimensional Standards

Standard	Requirements
Lot Area, min. (acres)	2
Lot Width, min. (ft.)	To be established in PD Plan and PD Agreement document.
Impervious Surface Ratio, max. (%)	
Density, max. (du/acre)	
Intensity, max. (sf)	
Front Yard Setback, min. (ft.)	
Side Yard Setback, min. (ft.)	
Rear Yard Setback, min. (ft.)	
Building Height, max. (ft.)	
Other intensity and dimensional standards	

(C) General Provisions for All Planned Development (PD) Zoning Districts.

(1) Purpose. The Purpose of Planned Development (PD) Zoning Districts is to encourage innovative and efficient land planning and physical design concepts. Planned Development (PD) Zoning Districts are intended to:

(a) Support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and provision of public services.

(b) Reduce the inflexibility of zoning district standards that sometimes result from strict application of the base district regulations, and development standards established in this Ordinance.

(c) Allow greater freedom and flexibility in selecting:

(1) The form and design of development;

(2) The ways by which pedestrians, cyclists, and vehicular traffic circulate;

(3) How the development will be located and designed to respect the natural features of the land and to protect the environment;

(4) How design amenities are to be applied; and

(5) The location and integration of open space and civic space into the development.

(d) Preserve natural and scenic features.

(e) Encourage a greater mix of land uses within the same development, including a mix of nonresidential development, residential development, lot sizes, and densities and intensities.

(f) Allow more efficient use of land, with smaller networks of streets and utilities.

(g) Provide pedestrian connection within the site, and to the public right-of-way.

(h) Encourage the provision of centrally located open space amenities on the site.

(i) Promote development forms and patterns that respect the character of established surrounding neighborhoods and/or other types of land uses.

(j) Promote a development form that respects and takes advantage of a site's natural and man-made features, such as rivers, lakes, wetlands, floodplains, trees, and historic resources.

(D) Minimum Size. The minimum size for a PD District shall be two (2) acres.

(E) Traffic Impact Analysis. Prior to applying for a Planned Development, the developer must complete a preliminary traffic impact analysis in advance of a formal submittal for land development, as may be required by other agencies. The preliminary TIA shall be submitted as part of the application.

(F) Classification of Planned Development Zoning Districts. Land shall be classified into a PD zoning district only in accordance with the procedures for a map amendment.

(G) Organization of Planned Development Zoning District Regulations. The following general standards apply to all PD zoning districts, wherein a conflict with other sections occurs, the more restrictive shall apply.

(H) Standards for all Planned Development Zoning Districts. The application for the PD zoning district classification, as well as the PD Plan, PD Agreement, Development Phasing Plan, if any, and the Conversion Plan shall be incorporated into the final PD approval, and comply with the following standards:

(1) PD Plan. The PD plan shall:

(a) Establish a statement of planning and development goals for the zoning district that is in accordance with the Comprehensive Plan and, as applicable, any adopted area,

neighborhood, or corridor plans, as well as the purposes of the individual zoning district.

(b) Identify the specific principal, accessory, and temporary uses permitted in the zoning district. They shall include a mix of uses, including both residential and nonresidential uses. Uses shall also be subject to applicable use specific standards identified in the PD plan, and any additional limitations or requirements applicable to the individual PD zoning district period.

(c) Establish the general location of each development area in the zoning district, its acreage, types and mix of land uses, number of residential units (by use type), residential density, and nonresidential intensity. Each residential density and nonresidential intensity shall be consistent with the purposes of the PD zoning district and the specific requirements of the individual PD zoning district.

(d) Establish the intensity and dimensional standards that apply in the individual PD zoning district. The intensity and dimensional standard shall be consistent with the requirements of the individual PD zoning district, and its purposes.

(e) Where relevant, established the standards and requirements that ensure development on the perimeter of the PD zoning district is designed and located to be compatible with the character of adjacent existing or approved development. Determination of compatible character shall be based on densities/ intensities, lot size and dimensions, building height, building mass and scale, form and design features, hours of operation, exterior lighting, and siting of service areas.

(f) Establish the general location, amount, and type (whether designated for active or passive recreation) of open space, consistent with the purposes of the individual PD zoning district.

(g) Identify the location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors, and indicate how protection of these lands will be assured consistent with the purposes of the individual PD zoning district and the requirements of this Ordinance.

(h) Identify the on-site pedestrian and bicyclist circulation systems, and how they will connect to off-site pedestrian and

bicyclist systems in ways that are consistent with the purposes of the individual PD zoning district, and the requirements of this Ordinance.

(i) Identify the general design and layout of the on-site transportation circulation system, including the general location of all public streets, existing or protected transit corridors, and how they interface with the pedestrian circulation system (pedestrian and bicycle pathways, and trails), and connect to existing and planned city and regional systems and a manner consistent with the purposes of the individual PD zoning district, and the requirements of this Ordinance.

(j) Identify the general location of on-site potable water and wastewater facilities, and how they will connect to existing and planned city and regional systems in a manner consistent with the purposes of the individual PD zoning district, and the requirements of this Ordinance.

(k) Identify the general location of on-site storm drainage facilities, and how they will connect to existing and planned city systems, and a manner consistent with the purposes of the individual PD zoning district, and the requirements of this Ordinance.

(l) Identify the general location and layout of all other on-site and off-site public facilities serving the development, and how they are consistent with the purposes of the individual PD zoning district. The other on-site and off-site public facilities considered shall include — but not limited to — parks, schools, emphasis cities for Fire Protection, police protection, emergency management, stormwater management, and solid wastewater management.

(m) Establish provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development.

(n) Established the development standards that will be applied to the development. The development standards shall be consistent with the requirements of the individual PD zoning district and its purposes, and the requirements of this Ordinance, as appropriate at a minimum, the development standards shall address:

(1) Mobility, circulation, and connectivity

(2) Off street parking and loading, bicycle parking
(3) Landscaping
(4) Form and design standards
(5) Fences and walls
(6) Exterior lighting
(7) Tree protection
(8) Signs
(9) Open space, and
(10) Neighborhood compatibility

(2) PD Agreement. PD Agreement is a required component for the establishment of a PD District. A PD Agreement shall include, but not be limited to:

(a) Conditions related to approval of the application for the individual PD zoning district classification.
(b) Conditions related to the approval of the PD plan, including any conditions related to the form and design of development shown in the PD plan.
(c) Provisions addressing how public facilities (pedestrian and bicycle transportation, potable water, wastewater, stormwater management, and other public facilities) will be provided to accommodate the proposed development. This shall include but not be limited to:
    (1) Recognition that the applicant/ landowner will be responsible to design and construct or install required and proposed on-site public facilities and compliance with applicable city, state, and federal regulations, and
    (2) The responsibility of the applicant/ landowner to dedicate to the public the rights of way and easements necessary for the construction or installation of required and proposed on-site public facilities in compliance with applicable city, state, and federal regulations.
(d) Provisions related to environmental and cultural protection and monitoring (e.g., restoration of mitigation measures, annual inspection reports, cultural resources report).
(e) Provisions for a dedicated point of secondary access for subdivisions with greater than 50 lots.

(f) Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the individual PD zoning district.

(g) Any other provisions the City Council determines are relevant and necessary to the development of the planned development.

(3) Development Phasing Plan. If development and a PD zoning district is proposed to be phased, the PD plan shall include a development phasing plan that identifies the general sequence or phases in which the zoning district is proposed to be developed, including how residential and nonresidential development will be timed, how infrastructure (public and private), open space, and other amenities will be provided and timed, and how environmentally sensitive lands will be protected and monitored.

(4) Conversion Schedule. The PD Plan may include a conversion schedule that identifies the extent to which one type of use may be converted to another type of use.

(5) Minor Modifications. Subsequent applications for development approvals and permits within a PD zoning district that include minor modifications from the approved PD Plan or PD Agreement may be reviewed and decided upon, without the need to amend the PD zoning district, if the Zoning Administrator determines that such modifications consist of only the following:

(a) Changes that result in a decrease in the density or intensity of development approved for a specific parcel;

(b) An increase in residential density for any specific parcel of ten percent or less; if the total allowed density within the PD zoning district does not increase;

(c) A change in a land designation from multifamily to single-family or a change from any use to open space/passive recreation;

(d) A modification of site design for amenities such as parks, gardens or open spaces; or

(e) A deviation specifically listed in the approved PD Agreement as a minor deviation not materially affecting the PD zoning district's basic concept or the designated general use of parcels of land within the district.

(6) Major Modifications. Changes proposed by the applicant which alter district boundaries or which materially affect the characteristics of the PD shall be submitted under zoning amendment procedures applicable to the establishment of the PD.

3.10 Flexible Review District (FRD)

(A) Purpose

The purpose of the FRD is to promote innovative residential design and development, often utilized in in-fill projects and newly annexed parcels, wherein specific land use designations may be in transition. Flexibility and creativity in the design, character and quality of the development is made possible through the development and approval of a detailed plan, which describes the specific uses, densities, landscaping, open space, conservation, and other requirements for development. Substantial flexibility is provided, with an expectation that development quality will surpass what is otherwise achievable through other zoning districts. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

(B) Intensity and Dimensional Standards

Standard	Requirements
Lot Area, min. (acres)	N/A
Lot Width, min. (ft.)	To be established in the approved development document
Impervious Surface Ratio, max. (%)	
Density, max. (du/acre)	
Intensity, max. (sf)	
Front Yard Setback, min. (ft.)	
Side Yard Setback, min. (ft.)	
Rear Yard Setback, min. (ft.)	
Building Height, max. (ft.)	
Other intensity and dimensional standards	

(C) General Provisions for Flexible Review District (FRD) Zoning Districts.

(1) Flexible Review District (FRD) Zoning Districts are intended to:

- **(a)** Support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and provision of public services.
- **(b)** Reduce the inflexibility of zoning district standards that sometimes results from strict application of the base district regulations, and development standards established in this Ordinance.
- **(c)** Allow greater freedom and flexibility in selecting:
  - **(1)** The form and design of development;
  - **(2)** The ways by which pedestrians, cyclists, and vehicular traffic circulate;
  - **(3)** How the development will be located and designed to respect the natural features of the land and the protect the environment;

(4) How design amenities are to be applied; and

(5) The location and integration of open space and civic space into the development.

(d) Preserve natural and scenic features.

(e) Allow more efficient use of land, with smaller networks of streets and utilities.

(f) Provide pedestrian connection within the site, and to the public right-of-way.

(g) Encourage the provision of centrally-located open space amenities on the site.

(h) Promote development forms and patterns that respect the character of established surrounding neighborhoods and/or other types of land uses.

(i) Promote development form that respects and takes advantage of a site's natural and man-made features, such as rivers, lakes, wetlands, floodplains, trees, and historic resources.

(D) Development Standards. The standards set forth in this Ordinance shall serve as a development guide for the FRD. However, variations are permitted. Applicants shall discuss variations with Staff prior to submitting their rezoning application.

(E) Traffic Impact Analysis. Prior to applying for a Planned Development, the developer must complete a preliminary traffic impact analysis in advance of a formal submittal for land development, as may be required by other agencies. The preliminary TIA shall be submitted as part of the application.

(F) Application Process and Preliminary Development Plans. A pre-application conference is required with Staff prior to submittal. Applications for a FRD shall be by amendment to the official zoning map in accordance with the zoning code and shall include the following:

(1) Preliminary Development Plan — The applicant shall submit one printed site plan and one electronic site plan which shall include the following:

(a) A boundary survey with vicinity map, title block, scale, and north arrow.

(b) Total number of acres of overall site.

(c) Location and number of acres of various areas by type of use (eg, single family, duplex, townhome, etc.).

(d) Number of units and density of various residential types, such number to represent the maximum number of units and to include setbacks.

(e) Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.

(f) Primary traffic circulation pattern, including major points of ingress and egress.

(g) Approximate number and location of parking spaces per use.

(h) An indication that an acceptable drainage system can be designed for the proposed project.

(i) Any such information or descriptions as may be deemed reasonably appropriate for review.

(2) Natural Resources Inventory — The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant natural, historical and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:

(a) Land cover type (i.e., wooded, pasture, wetland etc.) indicating the wood line or boundary line between wooded and non-wooded areas of the site.

(b) Topographic contour lines at 4-foot intervals.

(c) Stream and floodplain information.

(3) Statement of Intent — The applicant shall submit one paper copy and one electronic copy of a report setting forth the characteristics of the proposed FRD including the following:

(a) A description of the procedures of any proposed homeowner's association or other group maintenance agreement.

(b) A statement setting forth the proposed development schedule.

(c) A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.

(d) A statement of impact on public facilities including water, sewer collection and treatment, fire protection etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.

(e) Full color elevations of all structural buildings on site to include a callout sheet for all materials, all colors, all architectural details, including but not limited to lighting, pavers, garage door features, window trim, porch details, roof material, siding, and detail sheets for neighborhood facilities, such as benches, playground and/or

other community equipment, pet waste receptacles, trash cans, roadway signage, pathway material, and street lighting.

(f) A statement describing the buffers, landscaping, and screening of proposed project.

(g) A statement describing the maintenance and screening of any proposed pond, lake, or storm water management facility contained in the development.

(h) A statement describing pedestrian access and circulation throughout the project.

(i) A project contact statement with/from Berkeley County School District.

(j) Any such information or descriptions as may be deemed reasonably appropriate for review.

(4) A joint City Council and Planning Commission workshop shall be required to review the development plan and provide comments ahead of the public hearing.

(5) A public hearing shall be held in accordance with procedures set forth in Chapter 151.

(6) The City Council may, after fulfilling all applicable requirements of this section and all applicable requirements, act to either approve, approve with modification or disapprove the application for a FRD.

(7) Approval of a Concept Plan shall constitute authority for the applicant to prepare a Final Development Plan. All Final Development Plans in the FRD will require a site plan review and approval by Staff.

(G) Final Development Plan.

(1) No building permit or certificate of occupancy shall be issued in a FRD until all regulatory approvals have been provided, based on prior review of the Planning Commission and City Council, and there is recorded a Final Development Plan (FDP) meeting the requirements of this section. One reproducible copy of the FDP setting forth specific design characteristics of the Development in accordance with the approved Preliminary Development Plan shall be submitted to the Planning Director and shall include but not be limited to the following information:

(a) Vicinity map, title block, scale, north arrow, and property line survey.

(b) Location and proposed use of all buildings or structures within the development and gross square footage.

(c) Names of boundary streets.

(d) Number of residential dwelling units by type and number of bedroom units in each.

(e) Location of any utility easements.

(f) Total floor area for all nonresidential uses by type.

(g) Open space areas, specifying the proposed treatment or improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities.

(h) All off-street parking and loading areas, structures, the total number of spaces, and the dimensions.

(i) The number of acres devoted to each land use.

(j) Sketches and/or elevations of typical buildings/structures and their design standards.

(k) The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.

(l) The site's lighting plan, including the location, height, and type of all exterior fixtures.

(m) The site's Landscape, Screening/Buffer Plan.

(n) The site's Signage Plan, which includes all exterior signage of the development.

(o) Yard dimensions from the development boundaries and adjacent streets.

(p) A letter or permit from Berkeley County stating that a detailed drainage plan has been submitted and approved.

(q) Other such information or descriptions as may be deemed reasonably appropriate for review.

(H) Staff Action. Staff may approve or disapprove the Final Development Plan submitted by the applicant. In reviewing the Final Development Plan, Staff may require any such design modifications as necessary to assure compliance with the approved Preliminary Development Plan. In the event that Staff finds that the Final Development Plan is not in accordance with the approved Preliminary Development Plan, it shall disapprove the final plan.

(I) Recording of Final Development Plan and Statement of Intent. Following approval of the Final Development Plan by Staff, it is the responsibility of the applicant to ensure that one copy of the Final Development Plan and Statement of Intent is recorded in the Register of Deeds of Berkeley County; one copy of both documents is filed with the Planning Director.

(J) Subdivision Plats. Approval of a Final Development Plan shall constitute authority for the applicant to submit subdivision plats, if applicable, in accordance with procedures set forth in the City of Goose Creek Zoning and Land Development regulations.

(K) Changes to FRD. Changes to a proposed FRD or to an approved FRD may be permitted in accordance with one of the following procedures as determined by the Planning Director:

(1) Minor—Changes to a FRD which do not alter the original concept or use characteristics of the FRD may be approved by the Planning Director provided no minor change may be approved which is in conflict with specific conceptual considerations previously contained in City Council's preliminary approval.

(2) Major Changes—Changes to a FRD which would alter the basic concept and general characteristics of the development may be approved by City Council in accordance with the procedures that originally established the district. Examples of major changes include, but are not limited to the following: boundary changes, changes in the maximum number of structures or residential units, increased density, substantial changes to residential housing type, use changes, access changes, etc.

(L) Failure to Begin, Complete or Make Adequate Progress. The descriptive statement as approved by City Council and duly recorded shall set forth the development schedule for the project including phasing of the development. City Council may require the posting of a bond with a corporate surety to guarantee that the schedule as set forth in the descriptive statement will be materially adhered to in order to guarantee construction of streets, utilities, and other facilities and amenities or to allow for rectification of improper development characteristics such as failure to develop areas designated as common open spaces. If there is failure to begin, or failure to complete, or failure to make adequate progress as agreed in the descriptive statement, the City Council may enforce and collect upon such bonds or sureties as described above, or may change the district classification of the development, and thus terminate the right of the applicant to continue development, or may initiate action to charge the developers with specific violation of the Zoning Ordinance or any appropriate combination of the above remedies may be taken.

3.11 Naval Support Activity Charleston (NSAC)

(A) Purpose

The purpose of the Naval Support Activity Charleston (NSAC) District is to recognize and support major facilities in Goose Creek that are owned and operated by the United States Military. While military lands are not subject to this Ordinance and other local ordinances and codes, they occupy large land areas in Goose Creek and are therefore identified on the Official Zoning Map to differentiate them from lands that are subject to this Ordinance.

The City of Goose Creek shall notify the commander of the Naval Support Activity Charleston, as required by the Federal Defense Facilities Utilization Integrity Protection Act, as amended, prior to any public hearing regarding zoning and land development within 3000 feet of the installation. The City shall supply public notice to the commander thirty (30) days prior to the public hearing along with a written report with the findings required in the Act.

(B) Intensity and Dimensional Standards

Dimensional Standards

No dimensional and intensity standards apply in the NSAC District. If land within the NSAC District is declared surplus or otherwise conveyed to private ownership in the future, the land shall be subject to the same intensity and dimensional standards that apply in the Conservation District until the land is rezoned to another zoning district.

3.12 Red Bank District Overlay (RBD)

(A) Purpose. The purpose of the Red Bank District (RBD) is to support the transition of the Red Bank Corridor to a pedestrian oriented, mixed-use, pro-arts/artisan, boutique manufacturing corridor that is compatible with surrounding residential development.

(B) Applicability. The standards and requirements in this section apply to development located in the RBD, in addition to base zoning district standards. In instances where there is a conflict between the standards in this district and the base district, the standards in the RBD shall control.

(C) Design Guidelines. Development in the RBD shall comply with the Red Bank District Design Guidelines, which are incorporated herein by reference.

(D) Modifications of Otherwise Applicable Development Standards.

(1) Minimum Lot Size. Minimum lot sizes shall not apply in the Red Bank District Overlay.

(2) Building Setback.

(a) Primary and Secondary Front
Minimum: 0 feet
Maximum: 15 feet

(3) Minimum Off-street Parking. Minimum Number of off-street Parking Spaces shall be reduced by 20 percent where public art and pedestrian space is provided within the setback area. Where applicable, parking shall be located on the side or rear of the lot. New design backing out into the right of way is not permitted.

(4) Conditional Uses. The following uses Conditional within the Red Bank District:

(a) Artisan Manufacturing. Processing or manufacturing businesses that may include, but is not limited to, small scale furniture workshop, custom jewelry, textiles, coffee roasting, vertical farming, 3D printing, computer hardware assembly, or other non-heavy industry.

(1) The manufacturing or processing portion of the business must be contained indoors and produce little to no vibration, noise, dust, fumes, or other nuisances from the property. Sales may be conducted as a retail component, wholesale, business to business, business to government.

(b) Drive Through Facility.

(1) A drive-through facility shall not cause any interference to a public right-of-way or conflict with safe movement along sidewalks or walkways, to building entrances or exits, or to required parking spaces.

(2) A drive-through canopy shall be consistent in design and materials with the primary building and shall have masonry support columns.

(3) All drive-through lanes must be screened when located between the building and a public right-of-way.

(c) Non-depository Personal Credit Institution.

(1) Non-depository personal credit institutions (payday loan and/or title loan establishments) shall comply with the following standards:

(a) A non-depository personal credit institution shall be at least 3,000 feet from any lot containing another non-depository personal credit institution.

(b) A non-depository personal credit institution shall be located in a building with at least 12,000 square feet of gross floor area.

(2) A variance from any of the provisions of this section, and the provision of this subsection is prohibited.

(d) Vehicle Sales, Service, Repair, or Rental.

(1) An irrigated landscaped buffer 15 feet deep shall be provided around the lot perimeter and shall contain at a minimum two (2) canopy trees, four (4) understory trees, and 30 shrubs per 100 feet of buffer yards width. In the event of power lines, Staff shall consult with provider alternative planting list. In the event of conflicting buffer requirements, the more restrictive shall apply.

(2) No storage or display of any kind shall be placed in the buffer yard.

(3) Required parking shall be used exclusively for customers and employees.

(4) The business must be contained indoors and produce little to no vibration, noise, dust, fumes, or other nuisances from the property.

(5) No parking spaces shall back out into the right of way.

(6) Additional perimeter screening (such as a hedge, berm, decorative metal fencing and/or masonry or stone wall) should visually compensate for the amount of impervious surface in an auto dealership lot.

3.13 Central Creek District Overlay (CCD)

(A) Purpose. The purpose of the Central Creek District (CCD) Overlay is intended to encourage a mixture of residential, commercial, and institutional land uses in a walkable setting. New and redevelopments in the overlay should support the transition of the area into a mixed-use area with an emphasis on creating a pedestrian-friendly town center.

(B) Applicability. The standards and requirements in this section apply to development located in the CCD, in addition to base zoning district standards. In instances where there is a conflict between the standards in this district and the base district, the standards in the CCD shall control.

(C) Design Standards. Development within the Central Creek District shall comply with the Central Creek District Design Standards, which may be amended and are incorporated herein by reference.

(D) Redevelopment Thresholds. Redevelopment thresholds apply in addition to the City's usual nonconformity provisions. When conformance is required by these thresholds, but not the citywide standards, these thresholds apply. Required redevelopment thresholds are referenced in the Central Creek District Design Standards.

(E) Modifications of Otherwise Applicable Development Standards.

(1) Building Height.

(a) There are no height restrictions in the Central Creek District. Refer to Design Standards for conditions on building height and massing.

(2) Parking Requirements.

(a) Shared use parking facilities may be used to meet minimum parking requirements. The total number of spaces shall not exceed the sum of the maximum spaces allowed for all individual uses sharing the facility.

(b) For a mixed-use building and mixed-use development projects, the maximum parking allowed shall be the sum of the individual minimum requirements for each use.

Section Four: Use & Standards

4.1 Principal Uses

(A) Intent. This section classifies the uses allowed by zoning district in order to identify the activities that support the health, safety, and welfare of the people that live and work in all areas of Goose Creek. This section includes use definitions and any standards that may apply to a specific use.

(B) Applicability. No building, structure, or land shall be used in any way other than an activity or use that is permitted in the applicable zoning district.

(C) General Provisions.

(1) A site may contain more than one principal use, so long as each principal use is allowed in the zone, and that all site requirements are met for each principal use, e.g., setbacks, height, percentage of lot coverage standards, landscaping, buffers, parking.

(2) If a use is not listed but is similar in nature and impact to a use that is listed, the Zoning Administrator may interpret the use as permitted.

(3) All uses shall meet any applicable federal, state, and local requirements, including, but not limited to, licensing, health, safety, and building and fire code requirements.

(D) Table of Principal Uses.

(1) Permitted (P). These uses are permitted by right in the districts in which they are listed provided that they comply with all other applicable regulations of this Ordinance.

(2) Allowed subject to Conditions (C). These uses are permitted by right in the districts in which they are listed, provided that they comply with all other applicable regulations of this Ordinance and with any standards that are listed specific to that use.

(3) Special Exceptions (S). These uses are allowed only if reviewed and approved for a special exception in accordance with the procedures and special exception criteria of the Board of Zoning Appeals. In addition, they shall comply with all other applicable regulations and use conditions of this Ordinance, and any applicable additional standards associated with the use or requirements of the Board of Zoning Appeals.

(4) Prohibited Use. Uses without a symbol are prohibited in the district because they are considered incompatible with the intent of the district.

(5) Unlisted Uses. It is recognized that this Ordinance may require interpretation to assign all possible uses to individual districts. Therefore, any use which is not specifically set forth in this Ordinance shall be reviewed by the Zoning Administrator for consistency with the intent set forth in each district and for compatibility with use characteristics typical of uses permitted or not

permitted within those districts. Based upon this review, the Zoning Administrator shall determine the appropriate district for any use which is not specifically set forth herein.

4.2 Table of Permitted Uses

USE BY ZONING DISTRICT	C	RSF	RM	VN	GC	EC	LI	HI		SPECIFIC STANDARD
Agricultural										
Plant Agricultural	P					P	P	P		
Community Garden	C	C	C	C	C	C	C	C		
Indoor Food Production				S	P	P	P	P		
Civic, Institutional & Public										
Cemetery	S	S	S		S		P	P		
College/University				P	P	P				
Community Center		S	P	P	P	P				
Government Office				P	P	P	P			
Hospital				P	P	P				
Library/Museum/Cultural Facility		C	C	P	P	P	S			
Medical or Dental Clinic			S	P	P	P	P			
Membership Organization Facility			S	P	P	P	P			
Nursing Care Facility				P	P					
Parking Lot				C	C	C	C	C		
Parks & Open Space	C	C	C	C	C	C	C	C		
Park & Ride				P	P	P	P	P		
Public Safety Facility	P	P	P	P	P	P	P	P		
Religious Institutions		S	S	P	P	P	P			
School, Business or Trade				P	P	P	P	P		
School, Pre-K – 5th	S	S	S	P	P	P				
School, 6th- 12th		S	S	P	P	P				
Social Service Facility				P	P	P	P			
Utilities, Major		S	S	S	S	S	P	P		
Utilities, Minor	P	P	P	P	P	P	P	P		
Wireless Communication	S			S	S	S	S	S		
Wireless Communication (Small Cell)	C	C	C	C	C	C	C	C		See §152
Wireless Communication (Stealth)	S	S	S	S	S	S	S	S		
Industrial, Manufacturing, Processing	**C**	**RSF**	**RM**	**VN**	**GC**	**EC**	**LI**	**HI**		
Industrial, Artisan				C	C	C	C			
Industrial, Heavy								S		
Industrial, Light						P	P	P		
Research/Laboratory Facility				P	P	P	P	P		
Warehouse/Distribution					S	P	P	P		
Refuse Processing/Recycling Facility							S	C		

Residential & Group Living	C	RSF	RM	VN	GC	EC	LI	HI		
Continuing Care Retirement			S	C	C					
Cottage Neighborhood		C	C							
Dwelling, Accessory		C	C							
Dwelling, 1 Unit, detached		P	P							
Dwelling, 1 Unit, attached			P							
Dwelling, 2 Unit			P							
Dwelling, 3-4 Units			P							
Dwelling, 5-8 Units			S							
Dwelling, Mixed Use				P		S				
Dwelling, Townhouse			C	C		S				
Group Residence				S	S					
Residential Care Facility				S	S					
Retail, Service & Office	**C**	**RSF**	**RM**	**VN**	**GC**	**EC**	**LI**	**HI**		
Adult Business					S		S	S		
Animal Care				S	C	C	C	C		
Banquet Hall				S	S	S				
Beer/Wine/Liquor Sales				P	P					
Day Care Center				C	C	C				
Drinking Establishment				S	S	S				
Drive-Through Facility					C	C	C			
Drive-Through Facility, Micro				C						
Entertainment Facility, Indoor				S	P	S				
Entertainment Facility, Outdoor				S	S	S	S			
Funeral Services					P		P			
Gas Station/Convenience Store				S	C	S	S			
Home Occupation		C	C	C	C	C				
Hotel				C	C	C				
Non-Depository Credit Institution					C		C	C		
Pawn Shop				S	S					
Performing Arts Center				P	P	P				
Personal Care & Services				P	P	P				
Private Club/Lodge				S	P	P	P			
Professional Offices				P	P	P	P			
Restaurant				P	P	P	P			
Retail, General				P	P	P	P			
Retail, Intermediate				S	P	P	P			
Retail, Heavy					P	P	P			
Self-Storage Facility					S		C	C		
Staple Food Store			C	C	C	C	C	C		
Tattoo/Piercing				P	P		P			

Retail, Service & Office	C	RSF	RM	VN	GC	EC	LI	HI		
Tobacco/Hookah/Vaping				C	C		C			
Vehicle Sales or Rental					C		C			
Vehicle Rental, Truck					C		C	C		
Vehicle Service, Major					S		C	C		
Vehicle Service, Minor					C		C	C		
Vehicle Service, Commercial							P	P		

* It is recognized that this Ordinance may require interpretation to assign all possible uses to individual districts. Therefore, any use which is not specifically set forth in this Ordinance shall be reviewed by the Zoning Administrator for consistency with the intent set forth in each district and for compatibility with use characteristics typical of uses permitted or not permitted within those districts. Based upon this review, the Zoning Administrator shall determine the appropriate district for any use which is not specifically set forth herein.

Agricultural

Plant Agriculture. A commercial agricultural operation of any size that grows horticultural or nursery stock or fruits, vegetables, grain, or other agricultural crops outdoors.

Community Garden. A space where food, trees, and other plants are grown for personal, group, shareholder, or lessee use, or for donation, including for educational, recreational, and beautification purposes. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained or used by community group members.

Standards:

1. Accessory buildings shall be limited to sheds for the storage of tools, greenhouses, and seasonal farm stands. The combined area of all buildings and other structures, excluding greenhouses, shall not exceed 15 percent of the area of the parcel. Greenhouses may not exceed 75 percent of the area of the parcel.
2. Areas used for communal composting shall be limited to 20 percent of the area of the parcel.
3. Perimeter fences, including trellises, are allowed in community gardens, subject to the standards for fences.
4. Before issuance of a permit for a community garden, it shall have an established set of operating rules addressing the governance structure of the garden, hours of operation, assignment of garden plots, contact information, and maintenance and security requirements and responsibilities.

Indoor Food Production. A commercial operation that produces fruits, vegetables, grain, or other agricultural crops; horticultural or nursery stock; or aquaculture in a permanent indoor facility. Includes greenhouses. Excludes retail sales of products.

Civic, Institutional & Public

Cemetery. Land or structures dedicated for the internment of human or animal remains.

College/University. A post-secondary institution, public or private, for higher learning that grants associate, bachelor, masters, or doctoral degrees. Includes theological schools. Includes related ancillary facilities, such as cafeterias, restaurants, retail, indoor or outdoor recreational facilities, research facilities, and similar uses.

Community Center. A place, building, area, or other facility used for providing social and recreation programs. The facility may be private, or the facility may be open to the general public and designed to accommodate and serve significant segments of the community.

Government Office. A facility used for the conduct of business of a unit of government. For purposes of this Ordinance, "government offices" includes offices of city, county, state, tribal, and federal government agencies that provide administrative and/or direct services to the public, executive offices, legislative offices, and courts.

Hospital. A licensed facility that provides health, medical, or surgical care to the sick or injured, often on an inpatient basis. Includes related ancillary facilities, such as laboratories, outpatient clinics, pharmacies, cafeterias, gift shops, training facilities, classrooms, central service facilities, heliports, and offices integral to function of the facility.

Library/Museum/Cultural Facility. A facility open to the general public for cultural services and exhibitions. Includes such uses as museums, cultural centers, historical societies, and libraries operated by a government or nonprofit establishment. Includes related ancillary uses, such as classrooms, meeting rooms, retail, offices, or food service.

Standards:

1. In a Residential Single-Family (RSF) & Residential Mixed-Use (RM) district, library/museum/cultural facility uses shall not exceed 10,000 square feet of gross floor area.

Medical or Dental Clinic. A facility for physicians, dentists, chiropractors, physical therapists, mental health practitioners, or other licensed healthcare practitioners to examine and treat persons on an outpatient basis.

Membership Organization Facility. A facility, not open to the general public, operated by a membership-based organization for civic, social, cultural, religious, literary, political, or like activities, for the benefit of the organization's members and not primarily for profit or to render a service that is customarily carried on as a business.

Nursing Care Facility. Institutions certified by the state to offer 24-hour medical and skilled nursing care, rehabilitation, or health-related services to individuals who do not require hospital care.

Parking Lot. A non-accessory parking lot for the storage of passenger motor vehicles made available to the general public, with or without a fee. Parking lots serving a permitted use located on an adjacent lot or a lot separated from the subject lot by a street or alley shall be considered as accessory parking lots. Includes parking structures, whether underground, at

ground level, or above ground level, in which more than 50 percent of the gross floor area is used for parking vehicles.

Standards:

1. Commercial parking lots shall not be located contiguous to the RSF and RM zoning districts.

Park & Open Space. An open outdoor space, public or private, designed for active or passive recreational use or natural resources protection. Includes such uses as parks, plazas, greens, botanical or ornamental gardens, playfields and game courts, playgrounds, and monuments. Includes related ancillary facilities, such as picnic areas, gazebos, ziplines, and swimming pools. Excludes golf courses, skate parks, and commercially operated amusement parks which are considered an Entertainment/Recreation Facility, Outdoor use.

Standards:

1. All structures and activity areas, including but not limited to outdoor amphitheaters, ball fields, basketball and tennis courts, swimming pools, playgrounds, and parking or unloading areas, shall be located a minimum of 50 feet from any residential structure.
2. Service of food and beverages is permitted but shall be limited to service that is incidental to the primary activity of the facility.

Park and Ride. An off-street parking facility designed or intended to provide peripheral collection and storage of motor vehicles and bicycles to accommodate commuter traffic into or out of the community via a transit station or terminal located within convenient walking distance of the facility. Accessory structures may include passenger shelters.

Public Safety Facility. A facility operated by a public safety agency, including such uses as fire stations and training facilities, police and sheriff substations and headquarters, emergency medical services substations, and public safety communication centers.

Religious Institution. A facility devoted primarily to the purpose of divine worship. Includes member related ancillary uses, which are subordinate to and commonly associated with the religious institution use, such as schools and instructional facilities, daycare centers, cemeteries, and social uses. The City Council may grant modifications of the standards applicable to a place of worship on finding that the modification is necessary to eliminate a substantial burden on religious practice, as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 (42 U.S.C. § 2000 et seq.). In doing so, the Council may impose conditions consistent with RLUIPA that will substantially secure the objectives of the modified standard and substantially mitigate any potential adverse impact on the environment or adjacent development.

School, Business or Trade. An establishment, other than a college or university, that provides specialized on-site training and education beyond the high school level, principally in business, commercial, or trade skills, that does not provide lodging or dwelling units for students or faculty, and that has programs that typically result in the awarding of a certificate.

School, Pre-K-High. A public, private, or parochial institution offering instruction at the preschool through high school levels with a full range of curricular programs. Includes related on-site ancillary facilities, such as cafeterias, gymnasiums, theaters, playgrounds, and athletic facilities.

Social Service Facility. A facility where social or welfare services are provided to those in need, for no fee or compensation, or at a fee recognized as being significantly less than charged by profit-making organizations. Services may include but are not limited to information and referral services, counselling, skill development, aid through the provision of food or clothing, life skill and personal development programs, alcohol, drug, or substance abuse counselling center, and drop-in or activity space.

Utilities, Major. A large-scale utility facility that primarily serves a regional need, which because of its scale or method of operation is more likely to produce external impacts detectable beyond the lot lines of the subject property. Includes facilities such as electric or gas generation plants, high voltage transmission lines, sewage treatment plants, water pumping stations, and water towers and tanks.

Utilities, Minor. A utility facility or service that primarily serves local distribution needs. Includes facilities such as water and sewer pump stations, electric substations, gas regulating stations, and telephone exchange/switching centers.

Wireless Communications Facilities. Towers, antennas, cell towers, and ancillary structures used to transmit and receive radio-frequency signals, microwave signals, or other signals.

- **(A) Wireless Communication (Traditional).** Lattice, monopole, or similarly designed facilities where electric communications equipment and antennae are mounted, allowing the surrounding area to use wireless communication devices like telephones and radios.
- **(B) Wireless Communication (Small Cell).** Wireless transmitters and receivers, often on decorative poles in right of way, designed to provide network coverage to smaller areas suited for more densely developed environments like cities.

(C) Wireless Communication (Stealth). Concealed or camouflaged tower facilities designed so that the facilities have the appearance to a casual observer of a structure other than a telecommunications facility and such a manner that is consistent with the existing landscape, streetscape, or development pattern. Concealed towers can look like pine trees, flag poles, water towers, church steeples, bell towers, signs, and other structures.

Standards:

1. The Zoning Administrator shall review any construction, addition, or modification and approve or refer to the Board of Zoning Appeals for special exception as required. The Zoning Administrator is authorized to approve colocations, temporary carrier on wheel uses, new equipment within existing fence compound, and additions less than 10 feet in height. New structures or substantial improvements that expand the footprint or height shall be approved by the Board of Zoning Appeals as a special exception. Chapter 152 regulates standards for placement of small wireless communication facilities. For the purpose of this use, residential districts shall include RSF, RM, FRD, PDs that are principally residential, and property zoned similarly within adjacent counties.

2. The following shall apply only to lattice, monopole, and stealth facilities:

(a) The maximum height for a traditional lattice or monopole tower shall be 225 feet in Conservation, Light Industrial and Heavy Industrial zoning districts, and 180 feet for a monopole in Village Node, General Commercial, and Employment Campus, with a 300 feet setback from any residential district.

(b) The maximum height for a stealth tower in residential districts shall be 60 feet with a 60-foot setback from adjacent residential zoned lots.

(c) The maximum height for a stealth tower in all other districts shall be 150 feet and shall be setback 150 feet from any residential district.

(d) Stealth towers shall:

(1) Respect and, to the extent possible, compliment the style, height, bulk mass, material, and color of existing buildings, structures, vegetation, or uses within the surrounding area.

(2) Emulate an architectural or landscape feature typical of, or appropriate to, the surrounding area.

(3) Be located where it would not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

(e) Where a new communication tower or a new stealth WCF would be "visible" from property listed within the National Register of Historic Places, the South Carolina State Historic Preservation Officer shall

issue a letter stating that the design would have no adverse effect before the Zoning Administrator shall issue a Zoning Permit.

(f) Eight-foot-high fencing shall be provided around any communication tower and associated equipment building or cabinet. Concertina wire, barbed wire, or other similar security devices are expressly prohibited unless the devices are screened entirely with year-round landscaping that achieves the required screening at the time the landscaping is installed.

(g) Shall be illuminated only to the extent required by applicable state or federal law or regulation.

(h) No signage is permitted, except as required by applicable law or by standard industry practice for the purpose of identification, warning, emergency function or contact.

(i) Tower and equipment that is no longer used for communication purposes shall be removed within 120 days of the date it is taken out of service.

(j) New communication towers shall be light gray, except as otherwise required by applicable state or federal law or regulation.

(k) Shall be designed such that, in the event the tower fails structurally, it would not fall within a public right of way, or within a distance equal to the height of the tower, nor within the distance to damage any nearby or adjacent structures, nor endanger the safety of residents, employees, or travelers. The Zoning Administrator shall not issue a Zoning Permit for the support structures listed within this subsection until such time the applicant provides a signed letter from a registered professional structural engineer certifying that the proposed tower is designed to comply with the standards of this subsection.

(l) No variance to the requirements of this section shall be granted by the Board of Zoning Appeals.

(m) Be located where it would substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

(n) Be located within 1,000 feet of another communication tower.

(o) The proposed user shows proof that it has attempted to co-locate upon existing towers and will allow other users to co-locate upon the tower in the future subject to the engineering capabilities of the structure.

Industrial, Manufacturing, & Processing

Industrial, Artisan. A manufacturing use involving small-scale production, assembly, and/or repair with no noxious by-products. Includes such uses as bakeries, confectioners,

breweries, metalworking, woodworking, and maker spaces. Includes related ancillary uses and facilities, such as retail, restaurant, showroom, offices, storage, sales, and distribution of products.

Standards:

1. Artisan industrial uses shall not exceed 15,000 square feet of gross floor area.
2. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building, and little or no external impacts are detectable beyond the lot lines of the property.

Industrial, Heavy. A facility for the processing, manufacturing, compounding, or storage of materials, products, or energy, where the scale and method of operation may produce significant external impacts detectable beyond the lot lines of the property. External impacts include noise, heat, glare, dust, smoke, fumes, odor, vibration, and/or other noxious by-products. May regularly employ hazardous material or produce hazardous by-products, may include outdoor storage areas, and may have activities that take place outside of structures. Includes such uses as outdoor storage yards, junkyards, salvage yards, foundries, steel mills, and asphalt and concrete product manufacturing.

Industrial, Light. A facility for the processing or manufacturing of products or parts, including fabrication, assembly, treatment, and packaging of such products, and the incidental storage, sales, and distribution of such products, provided that all manufacturing processes are contained entirely within a fully enclosed building. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building, and little or no external impacts are detectable beyond the lot lines of the property.

Research/Laboratory Facility. A facility where testing, research, and development is conducted in industries such as biotechnology, pharmaceuticals, medical instrumentation or supplies, communication and information technology, vehicle components, and electronics and instrumentation. Other than prototype development, excludes the manufacturing, fabrication, processing, or sale of products.

Warehouse/Distribution. A facility for the storage, transfer, wholesaling, and distribution of goods. If a warehouse/distribution use is ancillary to another principal use and has a gross floor area of less than 10,000 square feet, it is considered part of the principal use and is not considered a separate principal use.

Refuse Processing/Recycling Facility. A facility for the collection, storage, and transfer of solid waste, which may include the collection, storage, processing, and transfer of

recyclables, and organic and yard waste. Excludes salvage yards, industrial or sanitary landfills, and waste incineration facilities.

Standards:

1. Stocks and supplies shall be either stored inside enclosed buildings or screened by solid walls, opaque fences, dense evergreen shrubbery or the like, so that they are not visible from any public street or from the ground level of adjacent property used for residential or office purposes.
2. Any required front yard shall not be used for storage.
3. The side yard setback for storage areas and buildings adjacent to residential or office uses shall be at least 25 feet.
4. Adequate ingress and egress shall be provided.
5. Adequate off-street parking and storage shall be provided to accommodate vehicles serving or being served by the recycling center.
6. All separation and processing operations, including storage of solid waste, shall be confined to the interior of a wholly enclosed building.
7. The facility shall have all applicable state permits approved.

Residential & Group Living

Continuing Care Retirement Community (CCRC). An age-restricted development that provides a continuum of accommodations and care, from independent living to convalescence care and long-term skilled nursing care and enters into contracts to provide lifelong care. A CCRC typically includes a full range of living arrangements from independent living, congregate housing, residential care and skilled nursing and sometimes hospice care. CCRCs provide a range of ancillary facilities and services such as health care, meals with common dining facilities, physical therapy, education, recreation, and other social and cultural activities. Although CCRCs include household living uses (e.g., dwellings) and health care uses (e.g., nursing homes), they are categorized as a group living because of their focus on the present or future provision of personal care to senior citizens and their integration of various uses as a single cohesive development.

Standards:

1. The number of nursing care beds shall not exceed 50 percent of the total number of permitted dwelling units.
2. A minimum of ten percent of the CCRC's land area shall be devoted to outdoor open space, indoor or outdoor recreation facilities, and indoor or outdoor social-oriented amenities, including community centers. Such areas shall be located so as to be safely and conveniently accessible to CCRC residents.
3. Each outdoor area intended for active recreation shall have a minimum area of 5,000 square feet and minimum dimension of 50 feet.
4. Each of the major component parts of the CCRC shall comply with the standards applicable to the principal use most closely representing component part, i.e. nursing care facility standards for the skilled nursing

services components, residential care facility standards for residential care component, and single-family, two-family, and/or multifamily dwelling standards, as appropriate, for the independent living component.

Cottage Neighborhood. A collection of small houses that are arranged around a common open space, or courtyard, with parking screened from public view.

Standards:

1. **Minimum Development Size.**
   - **(a)** A cottage neighborhood development shall contain individual lots of record located on a site having a minimum area of 0.5 acres.
   - **(b)** A cottage neighborhood development shall include at least four (4) cottages and no more than sixteen (16) per cluster.
   - **(c)** Individual clusters shall be separated from each other by a 15-foot buffer that shall consist of at least two (2) canopy trees, six (6) understory trees, and 15 shrubs per 100 feet of buffer yard width.
2. **Dimensional Requirements.**
   - **(a)** Individual lot area in cottage neighborhoods may be reduced by 50 percent of the minimum lot size of the underlying zoning district.
   - **(b)** Other intensity and dimensional standards of the underlying zoning district shall not apply.
   - **(c)** All buildings, including all projections, must be at least 10 feet apart, be within 25 feet of the common open space, and within a distance determined by Fire Marshal or Building Official from fire department vehicle access**.**
3. **Common Open Space.**
   - **(a)** A cottage neighborhood development shall include common open space improved for passive recreation or gardening and open to the residents. The common open space shall include a central green or lawn area fronting some or all of the dwellings, one or more shared surface off-street parking area(s) located away from the dwellings and common area, and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the cottage neighborhood development from adjacent development.
   - **(b)** The improved central green or lawn area shall include at least 300 square feet of area for every 1,000 square feet of individual lot area.
   - **(c)** A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building footprint be larger than 1,250 square feet, or greater than 15 percent of the minimum required open space, or serve as a permanent dwelling unit.

(d) Open space areas shall include improved pedestrian walkways that provide pedestrian access to shared parking areas, each dwelling, any common buildings, and the public sidewalk network.

(e) For developments that include multiple clusters, a shared use path shall be installed within the required buffer and connect to each cluster's internal pedestrian circulation systems.

(f) Ownership of the open space shall remain either with the developer or be conveyed to a homeowners' association or comparable legal entity under the laws of South Carolina.

(g) Maintenance of the land as permanent open space shall be ensured via the recordation of covenants or similar documents with the Register of Deeds and noted (or referenced) on the site plan or final plat. This documentation shall also prescribe the nature and extent of continuing maintenance to the open space designed to preclude the creation of any nuisances.

4. **Internal Streets.**
   Vehicular entryways into a cottage neighborhood development shall be configured as private drives with a maximum pavement width of 22 feet.
5. **Surface Parking.**
   (a) A cottage neighborhood development shall include at least one shared parking area that accommodates resident and/or guest parking.
   (b) Shared parking areas shall not be located between residential dwelling units and common open space.
   (c) Surface parking areas shall include at least one and a half (1.5) parking spaces for each dwelling unit plus one designated guest parking space for every four dwelling units.
   (d) Parking shall be screened from public view. There shall be no more than 5 contiguous parking spaces.
6. **Individual Lot Configuration.**
   Development on individual lots within a cottage neighborhood development shall comply with the following standards.
   (a) **Dwelling Size.** A dwelling shall be at least 600 gross square feet in size, but not more than 1,200 gross square feet in size. The maximum height of a cottage is 25 feet.
   (b) **Dwelling Orientation.** All dwellings shall be clustered around a common open space.
   (c) **Front Porch.** A dwelling shall incorporate a covered front porch having a minimum width of ten feet and a minimum depth of six feet.
   (d) **Landscaping.** Individual lots shall conform to the requirements in Section 5.3 Site Landscaping and shall have at least two understory trees. A landscape plan is required for a complete building permit application.

(e) Fences.

(1) Fences within front yards or side yards forward of the front facade plane shall not exceed 36 inches in height.

(2) Fences in rear yards or side yards behind the front facade plane shall not exceed 72 inches in height.

(3) In no instance shall a fence be placed within a no-build easement.

(f) Refuse Collection Containers. Each dwelling shall maintain individual refuse collection containers, which shall be screened from view and located to the side or rear of the dwelling. No refuse will be collected from an alley without design approval of the Director of Public Works.

(g) Homeowner's Association. Each cottage neighborhood development shall include a homeowner's or property owner's association, or comparable legal entity under the laws of South Carolina, that maintains control of common areas and takes responsibility for maintenance of common features in the development, in the event the developer has transferred ownership of the common areas. Homeowner's association documents shall be recorded in the Register of Deeds Office and submitted to and reviewed by the City prior to approval of a subdivision of land for a cottage neighborhood development.

Dwelling, Accessory. A dwelling unit that is clearly subordinate and incidental to a primary building on the same lot. An accessory dwelling unit is allowed only as an accessory to, and on the same lot as, a single-family detached dwelling unit.

Standards:

1. There shall be no more than one accessory dwelling unit on a lot.
2. An accessory dwelling unit may be within or attached to the principal structure (e.g., a downstairs or upstairs apartment) or exist within or as a detached structure (e.g., an apartment above a detached garage or a guesthouse).
   - **(a)** If attached, the accessory dwelling unit must be attached to the principal structure and have an operative interconnecting door with the principal structure.
   - **(b)** If detached:
     - **(1)** A distance of at least ten feet shall separate the accessory dwelling unit from the principal structure.
     - **(2)** The accessory dwelling unit must be located in the same base zoning district as the principal structure.
     - **(3)** Primary side and rear setback requirements apply.

3. A manufactured home or recreational vehicle, travel trailer, camper, or similar vehicle shall not be used as an accessory dwelling unit.
4. The floor area of an accessory dwelling unit shall be no greater than 1,200 square feet or 50 percent of the floor area of the principal dwelling unit, whichever is less.
5. An accessory dwelling unit shall:
   - **(a)** Have the same street address and mailbox as the principal dwelling.
   - **(b)** Not be subdivided or otherwise segregated in ownership from the principal single-family dwelling unit.
   - **(c)** Use the same water, sanitary sewer, gas, and electric utilities as the principal dwelling.
   - **(d)** Use the same driveway as the principal dwelling, unless it is accessed from a right-of-way not used by the principal use (e.g., a rear alley or separate street access on a corner or through lot).
   - **(e)** Maintain the general architectural design, style, appearance, height, and character of the principal dwelling and/or residential design standards.
   - **(f)** Unless otherwise specified, it shall not be located in any established front or corner yard or in front of the primary building line.
7. Only one kitchen is allowed per accessory dwelling unit.
8. Accessory dwelling units shall not count toward the maximum density standards.
9. Accessory dwelling units shall not count toward the maximum size standards of accessory structures.

Dwelling, 1 Unit. Detached. A structure that contains only one dwelling unit not to include mobile homes or manufactured homes.

Dwelling, 1 Unit, Attached. A structure that contains attached dwelling units on separate lots, no more than two (2) attached, each with its own outside entrance, which share a common exterior wall and are joined together by fire resistive party walls extending at least from the lowest floor level to the roof.

Dwelling, 2 Units. A building, commonly known as a duplex, that contains two dwelling units on the same lot, with each unit sharing common vertical walls and/or horizontal floors and ceilings with another dwelling unit.

Dwelling, 3-4 Units. A structure that contains up to four dwellings on the same lot, with each unit sharing common vertical walls and/or horizontal floors and ceilings with another dwelling unit.

Dwelling, 5-8 Units. A structure that contains up to eight dwellings on the same lot, with each unit sharing common vertical walls and/or horizontal floors and ceilings with another dwelling unit.

Dwelling, Mixed-Use. A building containing at least one dwelling unit and having its street level frontage used exclusively for non-residential purposes, such as retail, office, or service-related establishments.

Dwelling, Townhouse. Three or more dwelling units on separate lots, each with its own outside entrance, which share a common exterior wall and are joined together by fire resistive party walls extending at least from the lowest floor level to the roof.

Standards:

1. All units shall be designed as rear alley loaded.
2. No greater than six attached units.
3. Articulation within the building façade shall be considered through the inclusion of features such as porches, porticos, balconies, bay windows, rooflines, and building material type.
4. All units where the rear or side façade is adjacent to external primary roadways shall have a 10-foot buffer consisting of 2 canopy trees, four understory trees, and 15 shrubs per 100 linear feet of buffer yard. Berms or brick/masonry walls (5-6 feet tall) may be substituted for buffer requirements.
5. All units shall meet the standards for townhomes found in the City of Goose Creek Design and Regulations Manual.

Group Residence. A residential facility providing any combination of food, shelter, personal care, social services, counseling services, or transportation to residents; or a residential facility providing common living areas such as a kitchen, living room, dining room, or recreation rooms. Includes uses such as boarding houses, domestic violence shelters, homeless shelters, halfway houses, or any other residential facility for individuals which do not qualify as a family, or any other form of residential facility expressly provided for in this Ordinance. Category does not include a home serving nine or fewer mentally or physically handicapped persons providing care on a twenty-four-hour basis, approved or licensed by a State of South Carolina agency or department, or under contract with the agency or department for that purpose.

Residential Care Facility. A facility where accommodation, board, and personal assistance in feeding, dressing or other essential daily living activities are provided for a period exceeding 24 consecutive hours to two or more individuals who are not related to the administrator or owner of the facility within the third degree of consanguinity and who, by

reason of age or physical or mental infirmity, are unable to care sufficiently or properly for themselves or manage their own affairs but do not require the daily services of a registered or licensed practical nurse. A community residential care facility includes any chemical abuse residential treatment facility, such as a halfway house, and other facilities providing inpatient or detoxification services. For purposes of this Ordinance, "residential care facility" does not include a home serving nine or fewer mentally or physically handicapped persons, if the home provides care on a twenty-four-hour basis and is approved or licensed by a state agency or department or under contract with the agency or department for that purpose.

Standards:

1. The owner, operator, or manager shall verify that proper DHEC licensing requirements will be met prior to start of operation.
2. The owner, operator, or manager shall verify that a loitering control program will be enforced.
3. The owner, operator, or manager shall provide written verification they provided local contact information to the adjoining neighborhood associations or businesses for the documentation of any problems they may have with current business practices that impact adjacent neighborhoods or businesses.
4. The owner, operator, or manager shall provide a written business plan that describes, at a minimum, the following:
   - **(a)** Number of residents.
   - **(b)** Uses and activities that will occur in conjunction with the use.
   - **(c)** Security plan.
   - **(d)** Provisions for transportation of residents to and from the facility.
   - **(e)** Staffing information.

Retail, Service & Office

Adult Business. An "adult arcade," an "adult bookstore or adult video store," an "adult cabaret," an "adult motel," an "adult motion picture theater," "escort agency," a "semi-nude model studio," or a "sexual device shop."

(A) Adult Arcade. Any place to which the public is permitted or invited wherein coin operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

(B) Adult Bookstore or Adult Video Store. A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form

of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas." A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria:

(1) At least 30 percent of the establishment's displayed merchandise consists of said items; or

(2) At least 30 percent of the wholesale value of the establishment's displayed merchandise consists of said items; or

(3) At least 30 percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items; or

(4) At least 30 percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or

(5) The establishment maintains at least 30 percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items shall be included in "floor space" maintained for the display, sale, or rental of said items); or

(6) The establishment maintains at least 500 square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items shall be included in "floor space" maintained for the display, sale, or rental of said items); or

(7) The establishment regularly offers for sale or rental at least 1,000 of said items; or

(8) The establishment regularly features said items and regularly advertises itself or holds itself out, by using "adult," "adults only," "XXX," "sex," "erotic," "novelties," or substantially similar language, as an establishment that caters to adult sexual interests.

(C) Adult Cabaret. A nightclub, bar, restaurant, bottle club, or similar commercial establishment which regularly features live conduct characterized by semi-nudity. No establishment shall avoid classification as an adult cabaret by offering or featuring nudity.

(D) Adult Motel. A hotel, motel or similar commercial establishment which:

(1) Offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, videocassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a

sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;

(2) Offers a sleeping room for rent for a period of time that is less than ten hours; or

(3) Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours.

(E) Adult Motion Picture Theater. A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas" are regularly shown to more than five persons for any form of consideration.

(F) Escort Agency. A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

(G) Semi-Nude Model Studio. A place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This definition does not apply to any place where persons appearing in a state of semi-nudity did so in a class operated:

(1) By a college, junior college, or university supported entirely or partly by taxation;

(2) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

(3) In a structure:

(a) Which has no sign visible from the exterior of the structure and no other advertising that indicates a seminude person is available for viewing; and

(b) Where, in order to participate in a class, a student must enroll at least three days in advance of the class.

(H) Sexual Device Shop. A commercial establishment that regularly features sexual devices. This definition shall not be construed to include any pharmacy drug store, medical clinic, any establishment primarily dedicate to providing medical or healthcare products or services, or any establishment that does not limit access to its premises or a portion of its premises to adults only.

Standards for Adult Businesses:

1. A variance from any of the provisions of this section is prohibited. A deviation via a special exception condition regarding any of the requirements of this section is prohibited.

2. The location for a new establishment or substantial enlargement of an existing establishment shall not be within 1,500 feet from the property line of a place of worship, a boundary of any residential district, an outdoor recreational facility, a lot devoted to residential use, daycare, cemetery, public or private school, or another adult use. Measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure where an adult oriented business is conducted to the nearest boundary or property line.
3. No more than one adult business shall be located in the same building, structure, or portion thereof, or the increase of floor area of any sexually-oriented business in any building, structure, or portion thereof containing another sexually-oriented business.

Animal Care Establishment. A business which provides care for domestic animals. Includes such uses as veterinary offices, pet grooming facilities, pet resorts/hotels, animal training facilities, animal rescue shelters, kennels, and pet boarding facilities where animals are boarded during the day or for overnight stays.

Standards:

1. Areas in which animals are boarded shall be fully enclosed within a structure and sufficiently insulated so no unreasonable noise or odor can be detected off the premises.
2. Runs or areas for the training or periodic exercise of animals may be located outside, if they are located at least 35 feet from any lot line and screened from view from the street and from adjoining development.
3. Accessory uses may include retail sales and grooming services, as long as the accessory uses occupy no more than 25 percent of the total gross floor area.
4. All animal refuse shall be kept in airtight containers and disposed of on a regular basis.

Banquet Hall. A facility available for lease by individuals or groups for private events such as banquets, weddings, or other similar functions, where access by the general public is restricted.

Beer/Wine/Liquor Sales. A state licensed establishment whose primary business, in terms of gross floor area or sales, is the sale of alcoholic beverages for off-site consumption.

Day Care Center. A business that provides licensed care in a protective setting for children or elderly or disabled adults for less than 24 hours per day. Excludes home occupations.

Standards:

1. Day Care facilities permitted as a principal use shall comply with the South Carolina Department of Social Services Regulations for the licensing of Child Care Centers.
2. Locate outdoor play equipment no closer than 20 feet to any residential lot line.

Drinking Establishment. An establishment, in conformity with state law, primarily engaged in the sale or dispensing of alcoholic beverages by the drink for on-site consumption. May include related ancillary activities, such as the availability of food for on-site consumption, and live entertainment that is clearly incidental and subordinate to the bar/tavern use.

Drive-Through Facility. A facility that dispenses goods through an attendant window or automated machine to persons remaining in or on motor vehicles in a designated drive aisle. A drive-through may or may not be in conjunction with another principal use.

Standards:

1. A drive-through is determined by the entire length of the operation including the required waiting spaces to the services/pick-up window.
2. No portion of a drive-through facility shall be located between the front facade and front lot line or the corner facade and corner lot line.
3. A drive-through facility shall not cause any interference to a public right-of-way or conflict with safe movement along sidewalks or walkways, to building entrances or exits, or to required parking spaces.
4. A drive-through facility shall have a minimum width of 10 feet measured from the farthest point of projection of a drive-through facility from the building or structure.
5. A drive-through facility shall have a bail out capability for all vehicles which have entered the drive through lane. When provided, a bail out lane shall have a minimum width of 10 feet measured from and running parallel to the full length of the drive through lane. If a bail out lane also serves as an interior access drive providing access to parking spaces, the bail out lane / interior access drive shall be limited to a one-way traffic pattern following the direction of the drive through lane.
6. A drive-through canopy shall be consistent in design and materials with the primary building, shall be neutral colored, and shall have masonry support columns.
7. No portion of a drive-through facility shall be located within 50 feet of a Residential zoning district or a lot containing a residential use.

Drive Through Facility, Micro. A building 750 square feet or less in size that dispenses food and/or drinks through an attendant window to persons remaining in or on motor vehicles in a designated drive aisle. A walk-up component may be included.

Standards:

1. Vehicular customer parking shall not be required.
2. A minimum of two (2) bicycle parking spaces required on site.
3. A vehicle stacking and circulation plan shall demonstrate flow and ability to not obstruct drive aisles, sidewalks, or public rights-of-way.
4. A landscaped buffer of at least six (6) feet with plantings or decorative fencings must screen the drive-through lane from adjacent properties or public sidewalks.
5. No portion of a drive-through facility shall be located within one hundred (100) feet of a district zoned Residential Single Family (RSF) or Residential Mixed (RM).

Entertainment/Recreation Facility, Indoor. A facility for leisure uses conducted within an enclosed building. Includes such uses as amusement centers, arcades, bowling alleys, live and movie theaters, music venues, pool halls, skating and roller rinks and facilities, spectator sports, and tumbling centers. Includes related ancillary uses, such as food service.

Entertainment/Recreation Facility, Outdoor. A facility for leisure uses conducted outdoors or within partially enclosed structures. Includes such uses as amusement parks, batting cages, spectator sports, miniature golf courses, golf driving ranges, skating parks, and tennis clubs. Includes related ancillary uses, such as food service.

Funeral Services. A facility where the deceased are prepared for burial display and for rituals before burial or cremation. Includes such facilities as chapels, funeral homes, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services.

Gas Station and/or Convenience Store. A facility engaged in the retail sales of personal or commercial vehicle fuels and/or a wide variety of quick service consumable products.

Standards:

1. Gasoline dispensers and pump island canopies shall not be located within any minimum required setback. Gasoline dispensers and pump island canopies shall not be located in an established front or corner yard.

2. A gas station canopy shall be consistent in design and materials with the primary building, shall be neutral colored, and shall have masonry support columns.
3. Adherence to the ‘’Good Neighbor Plan”
   - **(a)** Loitering control program. Written verification must be provided by the owner, operator, manager, or local representative of the parent company that a loitering control program will be enforced.
   - **(b)** Litter control program. At least two trash receptacles must be provided on-site for customer use. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will conduct at a minimum, daily on-site litter pickup as well as litter pick-up along sidewalks adjacent to the site.
   - **(c)** Sign pledge program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will comply with the zoning regulations regarding signage. All business signage is included in the total display surface area permitted, including any additional signs, either permanent or temporary, advertising items for sale on-site (e.g., beverages, chips, tobacco, snacks, etc.).
   - **(d)** Crime prevention and awareness program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company has contacted the City of Goose Creek Police Department regarding participation in a crime prevention/awareness program.
   - **(e)** Neighborhood communication program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will provide local contact information to the adjoining neighborhood associations or business for the documentation of any problems they may have with current business practices that impact adjacent neighborhoods or businesses.

Home Occupation. An occupation, profession or trade customarily and commonly carried out by an occupant in a dwelling unit as a secondary use which is clearly incidental and subordinate to the residential character of the dwelling unit.

Standards:

1. Certain home occupations are permitted as an accessory use to a dwelling unit.
2. The principal person conducting the home occupation shall be a full-time resident of the dwelling unit, and the occupation shall employ not more

than one person on the premises who are not full-time residents of the dwelling unit.

3. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
4. No more than 25 percent of the floor area of the dwelling unit or 1,000 square feet, whichever is less, shall be used in the conduct of the home occupation.
5. There shall be no sign or change in the residential character or external appearance of the dwelling unit, its associated structures, or its principal residential use.
6. The home occupation shall not involve significantly greater volumes or frequencies of deliveries or shipments, vehicular traffic, or pedestrian traffic than normally expected in a residential neighborhood.
7. The home occupation will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.
8. No outdoor storage or display of goods shall be allowed in connection with any home occupation.
9. The manufacture, maintenance, or repair of any type of motorized vehicle shall not be permitted as a home occupation.
10. A state licensed family childcare home as accessory to a single-family dwelling may not provide care for more than six children.

Hotel. A facility that provides temporary lodging, in one or more buildings, for compensation. Includes related ancillary facilities, such as dining facilities, meeting rooms, and other incidental services.

Standards:

1. Rooms shall be accessed from the interior of the building, including from interior courtyards, lobbies, or halls.
2. A bathroom shall be provided for each room.

Non-Depository Credit Institutions. Establishments extending credit in the forms of loans, but not engaged in deposit banking (payday loan and/or title loan establishments).

Standards:

1. The location for a new establishment or substantial enlargement of an existing establishment shall not be within 3,000 feet from the property line of any lot containing another non-depository personal credit institution.
2. A non-depository personal credit institution shall be located in a building with at least 12,000 square feet of gross floor area.

3. A variance from any of the provisions of this section, and the provision of this subsection is prohibited.

Pawn Shop. A location at which or premises in which a state licensed pawnbroker regularly conducts business.

Standards:

1. No more than five inventory objects may be displayed outside of the business at any given time and must be removed during the hours of 7:00 PM to 7:00 AM.

Performing Arts Center. A facility for the viewing of live performances of theater, dance, music, or other similar arts.

Personal Care & Services. A business primarily engaged in personal type services. Use may include: barber, retail banking, mortgage lending, day spas, alteration shops, dry cleaning, or other similar services.

Private Club/Lodge. A facility for an organization, which does not operate for profit and excludes the general public but is open to people upon invitation, nomination, or payment of annual fees or dues, for social, recreational, political, and/or entertainment activities. A private club/lodge may serve meals and alcohol on the premises for members and their guests only.

Professional Offices. A facility for the processing or application of information or professional expertise, including by businesses and nonprofit organizations.

Restaurant. A business where food and beverages are primarily prepared for and served to patrons for consumption either on-premises or off-premises. Includes such uses as cafes, coffee shops, diners, fast-food establishments, and cafeterias.

Retail, General. A business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser. Includes such uses as clothing retailers, variety stores, and grocery stores, which does not exceed 35,000 square feet in total floor area.

Retail, Intermediate. A business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser, which falls between 35,001 and 60,000 square feet in total floor area.

Retail, Heavy. A business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser, which exceeds 60,001 square feet in total floor area.

Self-Storage Facility. A facility where individual spaces, inside or outside of a structure, are leased for the storage of personal property. Includes related ancillary uses such as the retail sales of packing, moving, and storage supplies.

Standards:

1. Access to individual storage units shall be provided from common areas or hallways located indoors. No direct access or outward appearance of direct access to an individual storage space shall be provided from the building exterior.
2. Outdoor storage and operations shall be screened from view.
3. Open storage of recreational vehicles (RVs) and boats of the type customarily maintained by persons for their personal use is allowed within a self-service storage facility use provided that the following standards are met:
   - **(a)** The minimum lot area shall be one acre.
   - **(b)** The storage shall occur only within a clearly delineated and designated area located to the rear of the principal structure and screened so as to not be visible from adjacent streets.
   - **(c)** The storage shall not occur within a required yard.
4. Any moving rental trucks provided shall be screened from view and parked at least 75 feet from any residential property line.

Staple Food Store. A grocery store that provides basic food items including dairy, animal or vegetable proteins, fruits and vegetables, juice, whole grains, beans, peas, etc.

Standards:

1. Maximum gross floor area is 2,500 square feet.
2. No tobacco, vape, CBD, alcohol, or similar products shall be offered for sale.
3. Shall be exempt from district parking standards. Maximum 4 spaces.
4. Shall comply with the minimum items and quantities of food per staple food guidelines.
5. Adherence to the “Good Neighbor Plan”
   - **(a)** Loitering control program. Written verification must be provided by the owner, operator, manager, or local representative of the parent company that a loitering control program will be enforced.
   - **(b)** Litter control program. At least two trash receptacles must be provided on-site for customer use. Written verification must be

provided that the owner, operator, manager, or a local representative of the parent company will conduct at a minimum, daily on-site litter pickup as well as litter pick-up along sidewalks adjacent to the site.

(c) Sign pledge program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will comply with the zoning regulations regarding signage. All business signage is included in the total display surface area permitted, including any additional signs, either permanent or temporary, advertising items for sale on-site.

(d) Crime prevention and awareness program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company has contacted the City of Goose Creek Police Department regarding participation in a crime prevention/awareness program.

Tattoo/Piercing. A facility required to be licensed under state law of that provides services including deliberately scarring, burning, or pricking the skin so as to leave a mark or a color that cannot be removed without a surgical procedure. Includes such services as tattooing, permanent coloring, scarifying and branding, and the piercing of the human body to create a permanent hole (excluding ear-piercing services) which meet all requirements of state law.

Tobacco/Hookah/Vaping Establishments. An establishment whose primary business, in terms of gross floor area or sales, is related to the sale of tobacco products or related accessories, hookah products or related accessories, other smoking products or related accessories, CBD, or electronic nicotine delivery systems or related accessories, for on- or off-premises use.

Standards:

1. The location for a new establishment or substantial enlargement of an existing establishment shall not be within 1,000 feet from the property line of a public or private K-12 school, childcare facility, youth center, recreational facility, park, church or religious institution, or community center.
2. The location for a new establishment or substantial enlargement of an existing establishment shall not be within 1,000 feet from the property line of another tobacco, hookah, or vaping establishment.
3. Adherence to the “Good Neighbor Plan”
   (a) Loitering control program. Written verification must be provided by the owner, operator, manager, or local representative of the parent company that a loitering control program will be enforced.

(b) Litter control program. At least two trash receptacles must be provided on-site for customer use. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will conduct at a minimum, daily on-site litter pickup as well as litter pick-up along sidewalks adjacent to the site.

(c) Sign pledge program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company will comply with the zoning regulations regarding signage. All business signage is included in the total display surface area permitted, including any additional signs, either permanent or temporary, advertising items for sale on-site.

(d) Crime prevention and awareness program. Written verification must be provided that the owner, operator, manager, or a local representative of the parent company has contacted the City of Goose Creek Police Department regarding participation in a crime prevention/awareness program.

Vehicle Sales or Rental. A business that sells, leases, or rents automobiles, vans, recreational vehicles, commercial vehicles, trucks, trailers, motorcycles, scooters, watercraft, or other powered personal transportation. Includes related ancillary uses, such as on-site facilities for the repair and service of vehicles sold, leased, or rented.

Standards:

1. Any repair and service operations shall be performed within a fully enclosed building.
2. No partially dismantled, wrecked, or unregistered vehicle shall be stored outdoors on the premises.
3. Each vehicle for sale or rental shall have direct access to an interior access drive.
4. Any outdoor display area shall not be located in any required setback.
5. Any outdoor display area along the front and corner lot lines shall be screened by a street protective yard buffer.
6. Outdoor displays of vehicles and promotional vehicles shall not block ingress access.
7. Any outdoor display area shall be considered a parking area for determining and providing parking landscape islands.

Vehicle Rental, Moving Truck. A business that offers, as a primary or accessory use, large vehicles, particularly ones with a spacious covered bed, designed for the purpose of relocating belongings, typically in change of residence.

Standards:

1. Any moving rental trucks provided shall be screened from view and parked at least 75 feet from any residential property line.

Vehicle Service, Major. A business that offers major vehicle repairs such as engine rebuilding; major reconditioning of worn or damaged motor vehicles or trailers; towing and collision service, including body, frame, or fender straightening or repair; painting of motor vehicles; or repair to commercial vehicles, recreational vehicles, or watercraft.

Standards:

1. Any repair and service operations shall be performed within a fully enclosed building. Bay doors may be open during hours of operation.
2. No partially dismantled, wrecked, or unregistered vehicle shall be stored outdoors for more than 90 days.
3. Outdoor storage and operations shall be screened from view by a building and/or opaque buffer.
4. All district specific regulations for outdoor storage shall apply.
5. The demolition or junking of motor vehicles is prohibited.

Vehicle Service, Minor. A business that offers minor vehicle repairs such as oil changes; repair or replacement of cooling, electrical, fuel, and exhaust systems; brake adjustments, relining, and repairs; wheel servicing, alignment, and balancing; repair and replacement of shock absorbers; detailing; and replacement or adjustment of muffler systems, hoses, belts, fuses, windshield wipers, and the like. Includes repairs to two-wheeled and three-wheeled motor vehicles. Includes car washes, whether mechanical, self-wash, or hand wash. Includes related ancillary uses, such as towing and collision service.

Standards:

1. Any repair and service operations shall be performed within a fully enclosed building. Bay doors may be open during hours of operation.
2. No partially dismantled, wrecked, or unregistered vehicle shall be stored on-site.

Vehicle Service, Commercial. A business that offers a wide range of semi-truck repair and maintenance services for heavy-duty trucks and fleets.

4.3 Accessory & Temporary Uses

(A) Intent. This section provides additional regulations for the use of a subordinate structure, building, or use that is customarily associated with, and clearly incidental to, the primary structure, building, or use that is located on the same lot, as well as short term activities that might not meet the normal development or use standards of the applicable zone but may otherwise be acceptable for the public good.

(B) Applicability. Unless otherwise specified, the development of an accessory structure or temporary use requires the submittal of a permit application. Accessory structures may not be constructed prior to the construction of a primary building. The Zoning Administrator shall determine when a structure is accessory to the primary building of a lot. To determine that a structure or use is accessory, it must meet the following criteria:

(1) Clearly incidental and subordinate to the primary building in terms of area, size, function, use, height, and location.

(2) Operated and maintained under the same ownership and on the same site as the primary building.

(3) Generally found in conjunction with the principal use.

(4) Use the same water, sanitary sewer, gas, and electric utilities as the principal use.

(C) General Provisions. Accessory uses, buildings, or structures shall comply with all development standards of the applicable zoning district unless otherwise specifically provided for in this section.

(1) Buildings and structures shall maintain the general character of the principal dwelling and/or design standards and shall be constructed of similar materials as the principal building, or finished in a similar fashion, so as to present a complimentary appearance.

(2) Construction standards shall meet code, where applicable, and exterior materials shall be sound. The exterior use of felt paper, shiny metal, tarps, and similar material is not permitted.

(3) All structures in commercial, industrial, mixed-use, and/or overlay districts shall follow the same development standards as the primary structure, including setbacks.

(4) Shipping containers shall not be permitted in residential districts and may only be used in commercial districts if permitted in an overlay district.

(D) Location. Unless otherwise specified, accessory structures, including swimming pools, shall not be located in any established front or corner yard or in front of the primary building line. Unless otherwise specified, accessory structures shall comply with all required front and corner building setbacks but may encroach into a required rear or side setback up to within five (5) feet of the rear or side lot line. Accessory uses, buildings, or structures shall not encroach upon any platted or recorded easements unless specifically authorized by the terms of the easement or by written consent of the agency in whose favor the easement is granted.

(E) Maximum Area for Accessory Structures. The total floor area of all residential accessory structures on a lot shall be no greater than 1,000 square feet or 50 percent of the floor area of the principal dwelling unit, whichever is lesser.

(F) Temporary Use. Includes consideration for short term activities that might not meet the normal development or use standards of the applicable zone but may otherwise

be acceptable for the public good, at the discretion of the Zoning Administrator, because of their temporary nature. Examples include, but are not limited to seasonal (tree, pumpkin, fireworks) in a commercial district, special events coordinated with police and fire, or a sales trailer coordinated with the Building Official. Temporary uses shall comply with all zoning, fire, building, as well as local, state, federal regulations.

Section Five: Development Standards

5.1 Tree Replacement and Mitigation

(A) Intent. Tree replacement, relocation and mitigation. The intent of this section is to create conscientiousness in tree conservation and protection. The objective is to retain existing trees as much as possible, replant reasonably larger trees and provide alternate methods for tree replacement. The location of all improvements shall take into consideration the existing natural environment and the retention of existing trees. Trees shall be mitigated according to the specifications provided herein.

(B) Landscaping and Tree Fund. The Goose Creek Landscape and Tree Fund shall be used for landscaping, streetscaping and beautification projects upon public property within the City of Goose Creek and may be used to issue grant funding to private property owners for the same purposes. The City Administrator or designee shall administer the fund.

(C) Standards and Tree Fund Guidelines.

(1) The clear-cutting of trees and vegetative cover on any lot, parcel, tract or acreage in any district is specifically prohibited.

(2) Each protected or grand tree that is determined by the Zoning Administrator to be hazardous, diseased, or injured to the extent it is irreparably damaged shall be approved for removal. The burden of providing proof of the extent of the hazard, disease or injury shall rest with the applicant, who must provide documentation from a qualified arborist.

(3) Removal of protected trees shall be mitigated at 100 percent. Removal of the protected trees in accordance with an approved site development plan shall be replaced by the applicant on the property through the replanting of species approved by the City at a minimum of four-inch calipers equal to the total DBH removed. Tree mitigation may occur anywhere on-site, including within required buffers and landscaped areas as approved by the Zoning Administrator. In the event that on-site mitigation is not possible due to site constraints, the Zoning Administrator shall impose a $1,000 fee for each protected tree unable to be fully mitigated. All monetary fees shall be deposited into the City's Landscaping and Tree Fund.

(4) Removal of grand trees shall be mitigated at 100 percent and also subject to a $1,000 fee for each grand tree removed. Removal of the grand trees in accordance with an approved site development plan shall be replaced by the applicant on the property through the replanting of species approved by the City at a minimum of four-inch calipers equal to the total DBH removed. Tree mitigation may occur anywhere on-site, including within required buffers and landscaped areas as approved by the Zoning Administrator. In the event that

on-site mitigation is not possible due to site constraints, the Zoning Administrator shall impose an additional fee of $4,000 for each grand tree unable to be fully mitigated. All monetary fees shall be deposited into the City's Landscaping and Tree Fund.

(5) Should tree removal occur in violation of the approved tree plan or without a plan approved by the Zoning Administrator, the removed trees shall be replaced with twice the number of inches at DBH removed at a minimum of four-inch calipers. For each inch of tree unable to be provided on-site for the purposes of reconciling the violation, the Zoning Administrator shall accept payment of a fee of $200 per inch, which shall be deposited into the City's Landscaping and Tree Fund.

(6) A tree replacement schedule is required showing the location, species, and sizes of any replacement trees to be planted.

(7) Replacement trees shall be planted on the site in the areas specified in the plans to be approved by the Zoning Administrator. Replacement trees shall be long-lived, hardy, native and compatible with local conditions, with good aesthetic value, healthy, disease, and pest free.

(8) If trees are to be relocated onto the development site, the applicant shall identify the original locations of the trees, as well as submit to the City site preparations and methods used on the tree survey. Trees may be relocated provided the environmental conditions of the new location are favorable to the survival of the trees.

(9) Prior to issuance of a Certificate of Occupancy for a completed structure, the Zoning Administrator shall provide a compliance inspection including the provisions in this chapter. It is the responsibility of the owner or agent to contact the Zoning Administrator regarding the compliance inspection. The Certificate of Occupancy will be withheld pending verification of compliance. The Zoning Administrator shall approve a delayed schedule for planting materials 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.

(10) Records of Tree and Landscaping Fund deposits will be maintained in a single fund to be reviewed annually. The Tree and Landscaping Fund will be used in accordance with the parameters established in this Ordinance.

(D) Preservation Credit. The preservation credit may be applied within the landscaping, buffer, and tree corridor requirements. Projects intending to preserve existing vegetation in order to receive credit for required landscaping must graphically show the location of each tree on the landscape plan and must note the DBH (diameter at breast height) and species of each tree.

(1) In order to receive credit, preserved vegetation must be in good health and condition and must meet the spacing requirements of the standards it is intended to satisfy. Protective barriers must also be shown on the landscape and grading plans in accordance with the requirements of this section. If a preserved tree dies within 24 months of completion of the project, it must be replaced with the total number of trees which were credited to the existing tree. No credit will be given to invasive-exotic species.

(E) Tree Mitigation Chart.

	Grand Trees	Protected Trees	Unpermitted Removals
Mitigated Trees	Mitigated at 100% + $1,000 per tree removed	Mitigated at 100%	Mitigated at 200%
Unmitigated Trees	$4,000 per tree unable to be mitigated	$1,000 per tree unable to be mitigated	$200 per inch unable to be planted

5.2 Tree Corridor

(A) Intent. New residential subdivisions shall preserve a portion of a site area dedicated to the preservation and/or establishment of natural woodland areas. These areas shall be delineated on the required site plan or final plat.

(B) Applicability. Tree corridor determination.

(1) All new residential subdivisions in the RSF and RM zoning district, 25 acres or greater, are required to have dedicated tree corridor areas.

(C) Calculating Requirements. A fifty-foot-wide tree area shall be required around the entire perimeter of the project site and shall be delineated on the required site plan or final plat. Each acre of designated tree area must be planted or maintained at the following rate; areas less than one acre will be required a pro-rated amount:

Minimum Number of Trees	***Minimum Size***
6 Large Maturing Trees	2-inch caliper
3 Understory Trees	1.5-inch caliper

(1) Species composition. Native trees must be used. No single tree species shall constitute more than 40 percent of the total requirement.

(2) Qualifying areas. Open, common space areas and required property line buffers may not be included in the required corridor.

5.3 Tree Protection

(A) Intent. Unless exempted, no grand or protected tree shall be cut, relocated, removed, or destroyed, except with approval of a Land Disturbance Permit from the City and in accordance with the standards of this Section. No land clearing or harvesting of any kind shall be permitted without the approval of the Zoning Administrator, regardless of other approvals that may be obtained from outside agencies.

(1) A tree protection plan shall be submitted with a landscaping plan. A tree protection plan shall clearly indicate what tree protection methods will be utilized.

(2) Documentation of existing trees on the site, through a tree inventory or tree survey, shall be submitted with a landscaping plan in accordance with the requirements of this Ordinance.

(3) A Land Disturbance Permit from the City is required prior to the cutting, destruction, removal, relocation, or transplantation of all trees.

(B) Exemptions. The following activities are exempt from the standards in this Section.

(1) The removal or modification of any tree located on an individual lot on which an existing single-family detached, two-family, four-unit, eight-unit or townhome dwelling is located.

(2) Routine or seasonal pruning.

(3) The removal or pruning, after providing documentation to the Zoning Administrator of the condition of the tree(s), of dead or naturally fallen trees; trees damaged during a hurricane, tornado, ice or windstorm, flood, wildfire or any other such act of nature; or trees that are found by the Zoning Administrator to be a threat to the public health, safety, or welfare.

(4) The selective and limited removal or pruning of trees or vegetation necessary to obtain clear visibility at driveways or intersections.

(5) The removal or pruning of trees within a utility easement by a utility company.

(6) Underbrush and removal of trees less than four (4) inches DBH.

(7) Forestry activities shielded from local development regulation in accordance with S.C. Code Ann. § 48-23-205, provided, any development application for the parcel of land where the forestry activities occur that is submitted within three years of the conclusion of the forestry activities shall be denied.

(8) Timber harvesting that the Zoning Administrator determines is a commercial timber operation (see, Definitions), if notification is provided, a forestry plan is submitted, and the timber harvesting complies with best management practices published by the South Carolina Forestry Commission, in accordance with, Timber Harvesting, provided, any

development application for the parcel of land where a commercial timber operation occurs that is submitted within three years of the conclusion of the commercial timber operation shall be denied.

(C) Tree Protection Zone. Unless otherwise established in this Section, the tree protection zone of protected trees consists of the largest of the following:

(1) The area located within a distance of one foot for each one inch of tree diameter (measured at four (4) and one-half (1/2) feet above ground level) of the tree.

(2) The area is located within a distance of one-half (1/2) the tree's height of the tree.

(3) The area is within a distance of six (6) feet of the tree.

(D) Prohibited Activity in Tree Protection Zone.

(1) Development and any other activity involving the cutting, destruction, removal, relocation, transplantation, pruning, or limbing of a protected tree are prohibited in a tree protection zone, unless otherwise required by this Ordinance.

(2) Compaction of the soil within a tree protection zone over more than ten percent of the area of the tree protection zone is prohibited, except where necessary for pedestrian walkways. Where possible, mulch shall be used to mitigate soil compaction in areas of the tree protection zone where activity on the site may result in soil compaction.

(E) Utility and Grading. Utility and grading plans shall not modify or disturb the tree protection zone, provided, utilities may be located within a tree protection zone if:

(1) There is no alternative location for the utilities.

(2) Any tunneling or boring for utility lines occurs at a depth that avoids significant damage to the roots of the protected tree and is at least 25 inches below the ground.

(3) Any excavation is limited in extent to the minimum necessary and is accomplished using hand excavation methods that remove soil around tree roots without severing them.

(4) All proposed activity within the tree protection zone is shown on an approved tree protection plan.

(F) Tree Protection During Construction.

(1) Construction site activities, including but not limited to parking, equipment, or material storage, bury pits, concrete washout, or burning of debris, are prohibited within tree protection zones.

(2) Trees located within a tree protection zone shall be protected from chemical contamination from liquids or other materials, including but not limited to paint, chemical solvents, gasoline, oil, diesel fuel, hydraulic fluid, concrete spoils, or rinse water from vehicle cleaning, including rinsing of concrete truck tanks and chutes.

(3) Prior to machinery passing over any area within a tree protection zone during construction, the area shall be cushioned using plywood sheeting covered by a minimum four-inch-thick layer of wood mulch, or materials providing an equivalent minimum degree of cushioning, as shown on an approved tree protection plan.

(4) Protective barriers shall be installed prior to, and maintained throughout, the land disturbance and construction process and before building permits are issued. Such barriers shall:

(a) Be installed along the outer edge of and completely surrounding all tree protection zones.

(b) Be based on the proximity to disturbance.

(c) Consist of one:

(1) A 6-foot-high chain-link fence.

(2) A minimum four-foot-high wooden post and rail fence with two-inch by four-inch posts and a double one-inch by four-inch rail.

(3) A minimum four-foot-high orange polyethylene laminar safety fencing mounted on wooden posts.

(4) A similar fencing method approved by the Zoning Administrator.

(d) Be posted with warning signs that:

(1) Are posted not more than 150 feet apart.

(2) Are clearly visible from all sides of the tree protection area.

(3) Have a minimum area of four (4)-square feet per sign.

(4) Identify the fenced area as a tree protection zone and direct construction workers not to encroach into the area (e.g., “Tree Protection Zone: Do Not Enter”).

(5) Any violation of the tree protection standards in this subsection is a violation of this Ordinance and may result in remedies and penalties. Any action in violation of this subsection that results in damage to a protected tree that jeopardizes its survival shall be deemed removal of a protected tree.

(G) Maintenance. The landowner and/or tenant shall maintain protected trees and tree protection zones in accordance with applicable tree protection plans and be subject to all requirements of this chapter. Curb stops, concrete curb, or other devices to prevent vehicular damage to required trees must be shown on the landscaping plan and installed prior to final inspection.

(H) Timber Harvesting. Timber harvesting shall comply with the standards in this subsection. The landowner shall notify the Zoning Administrator prior to beginning any timber harvesting.

(1) Best Management Practices. All timber harvesting shall comply with the voluntary protective measures known as "Best Management Practices" that are published by the South Carolina Forestry Commission, including the provision of an undisturbed buffer that:

(a) Extends along the entire perimeter of the parcel, including road frontages, except for approved access crossings; and

(b) Has a minimum width of 50 feet or the required setback for the zoning district in which the parcel is located, whichever is greater.

(2) Commercial Timber Operations. The landowner shall have the burden of proving by clear and convincing evidence that an activity is a commercial timber operation. The landowner shall submit a forestry plan that demonstrates that the intended forestry activities will contribute to the long-term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a commercial timber operation.

5.4 General Landscaping

(A) Applicability. Unless exempted, all development shall comply with the standards in this Chapter, as modified in accordance with alternative compliance, if applicable. The standards in this chapter are cumulative, unless otherwise stated in this Ordinance.

(1) Exemptions. The following are exempt from the standards in this section.

(a) Single-family detached dwellings, provided, the initial development of a subdivision of single-family dwellings is subject to all tree save, density, protection, foundation/canopy plantings and all applicable development regulations.

(b) Expansion of an existing structure that is less than 50 percent of the total gross floor area of the structure. New portions of the structure and/or addition shall meet full requirements for that portion.

(c) Renovation or reuse, not a more intense use, of an existing structure that is valued at less than 50 percent of the recorded tax value of the building.

(2) Alternative Compliance. Where the application of the standards in this chapter would result in unreasonable or impractical situations due to product supply (container-caliper size), unusual site conditions, such as may be caused by streams, natural rock formations, topography, lot configuration, or

utility easements, the Zoning Administrator may approve an alternative landscaping plan on finding, the alternative landscaping plan would result in landscaping of similar quality, effectiveness, durability, and performance as required by this chapter.

(B) General Standards. Unless specified in this Ordinance to the contrary, all plantings and other improvements required by this Section shall comply with this subsection.

(1) Installation of Required Landscaping.

(a) Unless a bond is provided in accordance with (b) below, all landscaping required by this chapter shall be installed prior to the issuance of a Certificate of Occupancy.

(b) If the season or weather conditions prohibit planting of trees or shrubs, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required landscaping to guarantee the completion of the required planting. A Zoning Permit for the development shall be issued only on approval of the financial surety. All required improvements must be completed within the time period established in the development approval, or within 18 months of the date the developer provides financial surety, whichever period is shorter. The developer may request, and the Zoning Administrator may grant, for good cause shown, one extension, not to exceed one year, of the period for completion. The financial surety shall be canceled and/or returned upon completion of the required landscaping. If the developer fails to complete all required improvements within the period for completion, as may be extended, the Zoning Administrator shall send written notice to the developer identifying the failure(s) and providing the developer a period of 30 days to complete the required improvements. If the required improvements are not completed within the 30-day period, the City may draw on the financial surety to complete the required improvements.

(c) Planting guidelines and recommended species provided by the electric provider shall be referenced within 35 feet of a power line.

(d) Where unusual site conditions, such as may be caused by streams, natural rock formations, topography, lot configuration, or utility easements, make it impossible for proposed development to comply with the landscaping requirements in this Section, the proposed development may be approved only if it complies with the requirements in this Section to the extent practicable and all unmet requirements are compensated for through payment to the Goose Creek Landscaping and Tree Fund of 125 percent of the estimated

cost of plant materials and installation. Estimates used to calculate the cost of plant materials and installation must be made not more than 90 days prior to the submission of the alternative landscaping plan. Three estimates provided with letterhead will be submitted for review and approval. The payment shall be based on the average of the three estimates multiplied by 125 percent.

(2) Credit for Existing Vegetation. Existing vegetation located in the developable area outside of wetlands, in good health, that meets all applicable standards in this chapter, may be used to satisfy any planting requirements, provided the vegetation is in fair or better condition and is protected before and during development in the same manner required for a protected tree during construction.

(3) Species. Vegetative material shall be adapted to the site conditions where it will be planted. The use of native, drought-tolerant vegetation is encouraged to reduce dependency upon irrigation. The selection of trees, shrubs, and other vegetative material from the list of suggested species maintained by the South Carolina Forestry Commission is encouraged. The use of species identified as invasive plant pest species by the South Carolina Exotic Pest Plant Council is prohibited. To curtail the spread of disease and insect infestation in a plant species, new shrub and tree plantings shall be of different genera in accordance with Table: Required Shrub and Tree Genus Diversity. Where different genera of shrubs and trees are required, each required genus shall be planted in roughly equal proportions with the other required genera. Nothing in this subsection shall be construed to prevent the utilization of a greater number of different species than specified.

Minimum Number of Shrubs or Trees Required on Site	Minimum Number of Genuses of Shrubs or Trees Required on Site
Shrubs	
40 or fewer	2
More than 40 but fewer than 70	3
70 or more	4
Trees	
20 or fewer	2
More than 20 but fewer than 40	3
40 or more	4

(4) Trees. All canopy trees planted in accordance with the requirements of this chapter shall be a minimum of 10 feet in height, and understory trees a minimum of eight (8) feet in height, when planted. Both canopy trees and understory trees must be at least two inches in caliper (measured one-half foot above ground level) when planted. Any new trees of above four (4)-inch

caliper size shall be measured 12 inches above the ground. The caliper size of a multi-trunk tree shall be deemed to be the average caliper size of the largest three leaders. The height-to-trunk caliper ratio, root ball sizes, or spread relationship for any tree to be planted shall meet the current "American Standards for Nursery Stock" as set forth by the American Association of Nurserymen. All multi-trunk trees must be "tree form" with a maximum of three to five stems or trunks and a minimum height of eight feet at planting.

(5) Shrubs. All shrubs planted to meet the requirements of this chapter, unless required to be larger by another provision, shall be a minimum of three-gallon container size and 18 inches in height or spread (depending on whether the growth habit is upright or spreading) measured from the top of the root zone.

(6) Mulch. All planted materials are to be mulched, generally with an organic type of mulch such as shredded bark, ground wood chips (not sawdust), or pine straw. Natural colors are required, no red, green, etc. Mulch shall be applied as follows: for trees and shrubs, three to four inches deep at the base of shrubs and trees or from the trunk to the dripline for newly planted trees; for ground cover and perennials, one to two inches deep sufficient in coverage to conserve moisture and suppress weeds without inhibiting growth of the landscape plants. The exclusive use of rock coverage shall not be permitted as a primary ground feature.

(7) Irrigation. An irrigation system shall be planned, installed, and maintained for multi-family, industrial, commercial, and mixed-use projects to ensure optimum moisture for healthy growth and survival. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rainwater, is encouraged.

(8) Berms. Shall comply with the following design standards:

- **(a)** The slope shall not exceed a two-to-one ratio (horizontal to vertical).
- **(b)** The berm shall have a top width at least one-half the berm height; and
- **(c)** The berm shall have a maximum height of eight feet above the toe of the berm.
- **(d)** All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation.
- **(e)** Berms proposed to be placed along street right-of-way shall be designed and constructed to provide adequate sight distances at intersections and along the street.
- **(f)** Berms shall not damage the roots of existing healthy vegetation designated to be preserved.

(9) Sight Visibility Triangle. Sight areas shall be maintained free of obstructions, including trees, shrubs, and other vegetation and fences, walls, and berms.

(10) Maintenance of Landscape Areas. It shall be the duty of the property owner to maintain all vegetation planted pursuant to, or protected by, this chapter in a healthy condition in accordance with this section and any tree ordinance guidelines developed by the City. Landscape features and areas shall be maintained in accordance with the approved landscaping plan or alternative landscaping plan and shall present a healthy and orderly appearance free from refuse and debris. All plant life shown on an approved landscaping plan or alternative landscaping plan shall be replaced with the same or a similar species if it dies, is seriously damaged, or removed, except any existing vegetation that does not comply with the standards in this Ordinance shall be replaced with vegetation that does comply with the standards in this Ordinance.

(a) Review. The Zoning Administrator, or designee, shall have the authority to review landscaping and require replanting if necessary to maintain the required landscape plants in good health.

(b) Damage, Natural Occurrence. In the event that any vegetation or physical element functioning to meet the standards of this Section is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer shall be required to replant if the landscaping standards are not being met. The Zoning Administrator shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation in making a determination on the extent of replanting requirements. The owner shall have one growing season to replace or replant in accordance with the Zoning Administrator's determination.

(c) Operational Protection. The owner or developer shall take actions to protect trees and landscaping from damage during all facility and site operations. Plants shall be maintained in a way that does not obstruct sight distances at roadway and drive intersections, obstruct traffic signs or devices, or interfere with the use of sidewalks or pedestrian trails. If a planting area required by this Section is adjacent to parking or vehicular circulation areas. Curb stops, concrete curb, or other devices to prevent vehicular damage to required trees must be shown on the landscaping plan and installed prior to final inspection.

(d) Maintain Shape. All required trees shall be allowed to reach their mature size and shall be maintained at their mature size. Except for trimming and pruning within a utility easement in accordance with applicable policies of the affected utility, required plants shall not be cut or severely pruned or otherwise damaged so that their natural

form is impaired. Any tree (including, but not limited to crape myrtles) that has been severely pruned, sheared, topped, or shaped as a shrub, shall be considered as damaged vegetation in need of replacement and shall be replaced within one growing season with a tree at least four inches in caliper.

(e) Natural Decline. The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and does not require re- vegetation to replace the plant material unless the required landscape area no longer complies with the required standards of this section. In no instance shall this provision be construed to prevent re-planting if, in the opinion of the Zoning Administrator, the required performance standard of the landscaping is not being met.

(C) Existing Conditions. Trees and shrubs that have not been maintained in compliance with approved plans, regardless of the date of approval, shall be replaced, if in the opinion of the Zoning Administrator, it would further the intent of this chapter and/or applicable zoning overlay districts.

5.5 Site Landscaping

Landscape requirements are broken down in the following categories		
A	**Property Line Buffer**	Landscaping along property lines
B	**Street Buffer**	Landscaping along street rights-of-way between parking and pedestrian areas
C	**Parking Lot**	Landscaping in and around vehicular use areas
D	**Building Impact**	Landscaping used to enhance the site
E	**Screening**	Landscaping around utility use, outdoor storage, and loading areas

(A) Property Line Buffer. A landscaped area between two land uses designed to mitigate potential negative effects, foster greenspace health, and promote community appearance. All new development shall comply, unless between individual single-family lots. Zoning Administrator has the authority to amend the buffer requirements for a specific site, including the discretion to require additional buffering, including depth of buffer, density and number of trees, and/or the requirement for a structural screen.

(1) Buffers shall be provided in accordance with the table and specifications listed below.

(a) Buffer 1

(1) A buffer 15 feet deep that shall consist of at least four canopy trees, eight understory trees, and 30 shrubs per 100 feet of buffer yard width; or

(2) A buffer 20 feet deep that shall consist of at least four canopy trees, six understory trees, and 20 shrubs per 100 feet of buffer yard width; or

(3) A buffer 30 feet deep wide that shall consist of at least four canopy trees, six understory trees, and 15 shrubs per 100 feet of buffer yard width.

(b) Buffer 2

(1) A buffer 30 feet deep that shall consist of at least five canopy trees, seven understory trees, and 20 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(2) A buffer 40 feet deep that shall consist of at least four canopy trees, five understory trees, and 20 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(3) A buffer 50 feet deep that shall consist of at least four canopy trees, four understory trees, and ten shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required.

(c) Buffer 3

(1) A buffer 50 feet deep that shall consist of at least five canopy trees, seven understory trees, and 20 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(2) A buffer 60 feet deep that shall consist of at least five canopy trees, five understory trees, and 15 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(3) A buffer 75 feet deep that shall consist of at least four canopy trees, four understory trees, and ten shrubs per 100 feet of buffer yard width.

(d) Buffer 4

(1) A buffer 75 feet deep that shall consist of at least ten canopy trees, 18 understory trees, and 60 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(2) A buffer 100 feet deep that shall consist of at least ten canopy trees, 15 understory trees, and 60 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(3) A buffer 125 feet deep that shall consist of at least eight canopy trees, ten understory trees, and 30 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(4) A buffer 150 feet deep that shall consist of at least eight canopy trees, eight understory trees, and 20 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required.

(e) Buffer 5

(1) A buffer 100 feet deep that shall consist of at least 12 canopy trees, 18 understory trees, and 60 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(2) A buffer 125 feet deep that shall consist of at least ten canopy trees, 15 understory trees, and 40 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required; or

(3) A buffer 150 feet deep that shall consist of at least ten canopy trees, 15 understory trees, and 30 shrubs per 100 feet of buffer yard width. In addition, a structural element shall be required.

Proposed Land Use	Adjacent Land Use							
	Conservation Open Space	Residential Single Family	Residential Mixed Use	Village Node	General Commercial	Employment Campus	Light Industrial	Heavy Industrial
Conservation Open Space	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Residential Single Family	Buffer 1	N/A	N/A	Buffer 1	Buffer 2	Buffer 3	Buffer 4	Buffer 5
Residential Mixed Use	Buffer 1	N/A	N/A	Buffer 1	Buffer 2	Buffer 2	Buffer 4	Buffer 5
Village Node	Buffer 2	Buffer 1	Buffer 1	N/A	N/A	Buffer 2	Buffer 4	Buffer 5
General Commercial	Buffer 2	Buffer 2	Buffer 2	Buffer 1	N/A	Buffer 1	Buffer 2	Buffer 3
Employment Campus	Buffer 3	Buffer 3	Buffer 2	Buffer 2	Buffer 1	N/A	Buffer 2	Buffer 2
Light Industrial	Buffer 4	Buffer 4	Buffer 4	Buffer 4	Buffer 2	Buffer 2	N/A	N/A
Heavy Industrial	Buffer 5	Buffer 5	Buffer 5	Buffer 5	Buffer 3	Buffer 2	N/A	N/A

WIDTH REDUCTION - FENCE OR WALL				
FENCE OR WALL MATERIALS	**ZONING DISTRICT**	**MINIMUM FENCE OR WALL HEIGHT**	**BUFFER YARD WIDTH REDUCTION ALLOWED (AS A PERCENTAGE OF THE REQUIRED WIDTH)**	**MINIMUM WIDTH OF BUFFER YARD AFTER REDUCTION**
Wood	Any district	8 feet	25	15 feet
Brick, Stone, or Stucco	Any district	4 feet	25	15 feet
	Any district	6 feet	50	10 feet
NOTES: *Fence or wall height shall be measured from the side of the fence facing away from the property being screened.				

(2) Reduction in Width (Property Line Buffer Yard). The required width of a buffer yard may be reduced in accordance with this subsection, provided, only one width reduction is allowed along any length of a buffer yard.

(a) Fence or Masonry Wall. The width of a buffer yard may be reduced if a fence or wall that complies with the corresponding height and materials requirements, and all fence and wall standards, is located in the buffer yard along the length of the buffer yard**.**

(b) Berm. The width of a buffer yard may be reduced by 25 percent if a berm having a height of at least four feet is provided.

(3) Reduction in Plantings (Property Line Buffer Yard). The required plantings in a buffer yard may be reduced along any length of the buffer yard where a fence or wall is included in accordance with this section, provided, only one reduction for shrubs is allowed along any length of a buffer yard:

(a) Wooden fence or brick, stone, or stucco wall: 50 percent reduction in the number of required shrubs.

(b) Brick, stone, or stucco wall having a height of at least six feet: 75 percent reduction in the number of required shrubs, and up to 50 percent of required trees in the transitional buffer yard may be understory trees.

(4) Location (Property Line Buffer Yard). Buffer yards shall be located on the site of the proposed development, between the property line and any vehicular use areas, buildings, storage, service areas, or other areas of activity on the property and extend along the entire property line of the abutting use.

(a) Vegetative screening and fencing in a buffer yard shall not be located inside a utility or drainage easement unless:

(1) The easement is an overhead easement; **or**

(2) All of the following are met:

(3) The easement holder has consented to, and the Zoning Administrator has approved the location of the vegetative screening and fencing in the easement;

(4) The vegetative screening and fencing are maintained in accordance with the terms of consent and any applicable maintenance provisions;

(5) Trees planted within 15 feet of an overhead power line shall be understory trees; and

(6) In those portions of the buffer yard where understory trees are provided in lieu of canopy trees, either the number of required trees per 100 linear feet shall be multiplied by two, or a wood fence or masonry wall that meets the height and materials standards, shall be provided.

(5) Development within Property Line Buffer Yard. Development within a buffer yard shall not reduce the general separation of land uses or interfere with the required plantings and shall be limited to the following:

(a) Fences and walls.

(b) Retaining walls.

(c) Sidewalks, trails, and bike paths, provided they intersect the transitional buffer yard at a 90-degree angle.

(d) Driveways and parking lot aisles necessary to comply with Cross Access Between Adjoining Developments.

(e) Stormwater areas that incorporate Low Impact Development (LID) practices using plant material to manage stormwater.

(6) Planting and Materials Standards (Property Line Buffer Yard). Trees, shrubs, fences and walls, and berms required by this subsection shall comply with General Landscaping Standards, unless otherwise specified.

(a) Trees, shrubs, fences and walls, and berms shall be arranged in a manner that provides the maximum possible visual separation between adjacent land uses, including the massing of shrubs in rows or groups as needed to achieve the maximum screening effect.

(b) Trees shall be canopying trees, except when placed within 15 feet of an overhead powerline, where they shall be understory trees.

(c) Up to 50 percent of required trees where a brick, stone, or stucco wall having a height of at least six feet is included may be small- maturing trees.

(d) At least 50 percent of required trees shall be evergreen species in unreduced buffers.

(e) Shrubs shall be evergreen species expected to reach a height of six (6) feet or greater within five (5) years of planting.

(f) Shrubs shall be a minimum of three feet in height when planted.

(B) Street Buffer. A street buffer yard is a landscaped area abutting and parallel to a recorded public street right-of-way designed to provide pleasing views along travel ways, reduce runoff, provide canopy, and preserve natural vegetative cover. All new development shall comply, unless only a change in land use, with no new parking surface area, and/or in a zoning district that has a minimum front yard setback of zero (0) feet.

(1) Location (Street Buffers). Street buffer yards shall be located on the site of the proposed development wherever it abuts an existing or proposed street right-of-way.

(2) Minimum Depth (Street Buffer).

(a) If the minimum front yard setback is greater than ten (10) feet, the minimum depth of the street buffer shall be ten (10) feet.

(3) Minimum Area (Street Buffer). A street buffer shall have a minimum area of ten (10) feet times the linear feet of the site of the proposed development that abuts an existing or proposed street right-of-way.

(a) Notwithstanding any other provision in this Ordinance, a street buffer shall not have a width of less than five (5) feet as measured from the recorded public street right-of-way abutting the site of the proposed development.

(4) Minimum Plantings (Street Buffer). A street buffer shall comply with the following landscaping standards:

(a) A street buffer shall contain at least one canopy tree for every 40 linear feet of street buffer or fraction thereof, excluding portions of the street buffer where driveways are located and areas necessary to avoid intrusion into sight areas.

(b) A street buffer shall contain a minimum of one canopy tree.

(c) At least 60 percent of the street buffer area not used for canopy trees or for pedestrian or vehicular access shall be covered in shrubs, ground cover, understory trees, or turf, and all other portions of the street buffer shall be mulched. A minimum of 75 percent of the area designated on the landscaping plan for grass or ground cover shall be covered by established grass or ground cover within one calendar year from the time of planting.

(d) Within 20 feet of an overhead power line, understory trees spaced between 20 and 30 feet apart on center, unless otherwise necessary to avoid intrusion into sight areas, shall be substituted for required canopy trees.

(5) Development Within Street Buffer. Development in a street buffer shall be limited to the following:

(a) Fences and walls.

(b) Retaining walls.

(c) Flagpoles, lamps or address posts, mailboxes, and similar features.

(d) Sidewalks, trails, and bike paths.

(e) Driveways or parking lot aisles having a width of 35 feet or less, provided the centerline of the driveway or parking lot aisle forms a 90-degree angle with the boundary between the site and the right-of-way.

(f) Stormwater areas treated as site amenities in accordance with review of the Zoning Administrator

(6) Parking Lot (Street Buffer). Parking lots adjacent to a right-of-way shall comply with the standards below. The standards below shall not apply where a parking lot is located behind a building from the street right-of-way:

(a) The street buffer shall be screened along the length of the street, excluding portions of the street buffer where driveways or sight areas are located, that is between two and one-half (2 ½) and three (3) feet in height and that consists of:

(1) Evergreen shrubs that measure at least two (2) feet in height at the time of planting and reach a mature height of or may be maintained at a height of two-and-one-half (2 ½) to three (3) feet within one year of planting; or

(2) A wall composed of brick, stone, or stucco, which may be combined with decorative metal, such as wrought iron, if the wall achieves opacity at an average height of between two and one-half (2 ½) and three (3) feet.

(b) Where a street buffer includes a brick, stone, or stucco wall in accordance with (6)(a)(2) above:

(1) The minimum width of the street buffer is reduced by 50 percent, provided the street protected yard shall not at any point be less than five feet in width;

(2) The required number of shrubs is reduced by two-thirds (2/3), if all required shrubs are planted between the wall and the right-of-way; and

(3) Up to forty percent of required shrubs may be deciduous shrubs having a maximum height of three feet.

(c) A street buffer located between a parking structure and a street right-of-way shall comply with the standards in Street Buffers as modified by the following standard:

(1) The minimum width of the street buffer shall be 10 feet.

(C) Parking Lot Landscaping. The standards for landscaping in and around parking lots apply to any new or expanded vehicular surface area (parking lot) whether principal or accessory use and any existing vehicular surface area that is used to satisfy the off-street parking requirements for a new building, or the expansion of an existing building.

(1) Interior Planting Areas (Parking Lot). A vehicular surface area, other than a parking structure, shall include interior planting areas that comply with the standards in this subsection.

(a) In an off-street surface parking area, no more than seven (7) consecutive spaces shall be in a row without a parking island containing one canopy tree and two shrubs or two canopy trees and shall extend the full length of the adjacent parking space and shall be no less than nine (9) feet in width.

(b) Tree islands shall be placed along the perimeter of the parking area at each end of the aisles that shall be the full length of the adjacent parking space and shall be no less than nine (9) feet in width.

(c) Where vehicles overhang a foundation planning strip, the width of the planting strip shall be at least six feet.

(d) For vehicular surface areas containing 200 or more parking spaces, the required pedestrian passageway shall have landscaping on each side, not less than five (5) feet wide consisting of one (1) understory tree and two (2) shrubs every seven (7) parking spaces.

(2) Minimum Planting (Parking Lot).

(a) A minimum of 60 percent of a planting area shall contain living plants, trees, shrubs, groundcover or turf, and all other portions of the planting area shall be mulched. A minimum of 75 percent of the area designated on the landscaping plan for grass or ground cover shall be covered by established grass or ground cover within one calendar year from the time of planting.

(b) Understory trees shall be substituted for canopy trees within 15 feet of overhead power lines;

(c) Canopy trees shall be spaced a minimum of 40 feet apart, or, if planted groups, a minimum of 25 feet apart;

(d) Understory trees shall be spaced a minimum of 30 feet apart, or, if planted in groups, a minimum of 15 feet apart.

(e) Trees shall not be planted within ten feet of a tree located in the public right-of-way.

(f) Planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods. The placement of plant material shall allow for a minimum two-and-one- half foot bumper overhang from the face of curbing, wheel stops, or other

comparable devices. This standard shall not be construed to prohibit the use of planting areas as stormwater management devices.

(D) Building Impact Landscaping. Building impact is landscaping that is not required for parking lot landscaping, buffer yard landscaping, or street buffer landscaping, that is designed to soften the visual impact of building foundations and provide for the even dispersal of trees across a development site. A change in land use, agricultural uses, and development with alternative compliance (e.g., no front yard setback, no parking areas) are exempt.

(1) Where building foundations are visible from the public street, pedestrian walkways, or from adjacent uses, foundation landscaping is required. Landscaping of this area shall complement the building elevations, connect the building to the site and increase continuity.

(2) Planters may be required as a design element to soften the building exterior and enhance the streetscape appearance.

(3) Shrubs maturing to a two-foot minimum shall be planted at five feet on center maximum for the length of the building facing the public right-of-way. To soften and screen a blank building facade, shrubs maturing to a minimum of four feet in height shall be planted eight feet on center (maximum), and small maturing trees shall be planted within 15 feet of the building facade.

(4) No shrub smaller than those in three-gallon containers shall be planted. Understory trees shall be no smaller than six feet in height at the time of planting. Canopy trees must be at minimum two- and one-half calipers and eight feet to ten feet in height at time of planting.

(5) A two (2)-inch to four (4)-inch layer of approved mulching materials shall be used only in connection with plant materials and shall not stand alone as ground cover.

(6) Arcades across a building's front facade accompanied by tree planting may be used in lieu of shrub plantings and satisfy the requirements for foundation plantings.

(7) Lawn areas within 50 feet of a building or adjacent to public roadways require sodding. Other lawn areas may require sodding depending upon slopes, impact on public views, pedestrian traffic, time of year, as well as other considerations.

(8) Individual lots of record in the Residential Single-Family (RSF) zoning district shall have a minimum of one understory tree located on the parcel.

(E) Service Screening. The following shall be screened from view in accordance with the standards in this subsection:

(1) Loading areas, large waste receptacles (such as dumpsters, grease storage, and cardboard recycling containers) and trash collection areas.

(a) Screening of loading areas, large waste receptacles, and trash collection areas must be accomplished and maintained with an opaque wall of masonry or composite material approved by the Zoning Administrator.

Vinyl or exterior cinder block shall not be permitted. The height shall be sufficient to conceal areas, but in no instance less than seven (7) feet. Enclosures shall utilize metal or composite material with latching doors. Evergreen shrubs shall be used on the exterior.

(b) Dumpsters shall be located along alleys or internal circulation roads that can be easily accessed by sanitation vehicles but that are not easily visible from public view. Dumpsters shall be located to the rear, and not near the public face of structures.

(c) Any existing trash dumpster, grease storage receptacle, or cardboard refuse container that is not properly screened by April 30, 2029, must come into compliance prior to the license renewal of the business.

(2) Display areas.

(a) Screening shall be accomplished with a closed fence, made of wood, a masonry wall**,** opaque metal, or composite material approved by the Zoning Administrator, with the finished side facing away from the area to be screened.

(b) A minimum of 60 percent of any shrubs used for screening shall be evergreen species. Shrubs shall be a minimum of 18 inches tall when planted and expected to reach a mature height and width sufficient to provide the required screening within three years of planting.

(3) Stormwater retention or detention ponds.

(a) Evergreen shrubs that are expected to reach four (4) feet in height within three (3) years of planting, at a maximum spacing of five (5) feet on center. Trees, at least 50 percent of which are an evergreen species, at a maximum spacing of 25 feet on center.

(b) If a fence is required, the material shall be approved by the Zoning Administrator.

5.6 Access & Parking

(A) Intent. The purpose of this Section is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient movement of motor vehicles, emergency vehicles, transit, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas.

(B) Applicability. Any new off-street vehicle parking area provided shall be developed in accordance with the regulations of this section and the development standards of the applicable district of this Ordinance.

(1) New Development. All new developments shall provide off-street parking and loading areas in accordance with the standards of this Section.

(2) Existing Development. Any change in use of the existing development shall be accompanied by the provision of any additional off-street parking and loading spaces required for the change in use.

(C) Traffic Impact Analysis. Requirements pertaining to Traffic Impact Analysis ("TIA") are incorporated in reference and found in the City of Goose Creek Land Development Regulations.

(D) Access & Circulation. All new developments shall be served by a system of sidewalks, paths, roadways, accessways, and other facilities designed to provide for multiple travel modes (vehicular, bicycle, and pedestrian), as appropriate to the development's size, character, and relationship to surrounding development and development patterns and existing and planned community transportation systems. Vehicular, bicycle, and pedestrian access and circulation systems shall be coordinated and integrated so as to provide transportation choices within and to and from the proposed development, as appropriate.

(1) Cross Access.

(a) An internal vehicular circulation system in new nonresidential and mixed-use development shall be designed and constructed to provide vehicular cross-access between any parking lots within the development and any parking lots on adjoining parcels containing nonresidential or mixed-use development, and to the boundary of adjoining vacant land if it is zoned for commercial uses. The cross-access shall consist of a driveway or drive aisle that is at least 24 feet wide or two one-way driveways or aisles that are each at least 14 feet wide.

(b) An internal pedestrian circulation system in new multifamily, nonresidential, or mixed-use development shall be designed to allow for pedestrian walkway cross access between the development's buildings and parking areas and those on adjoining lots containing multifamily, nonresidential, or mixed-use development, and to vacant lands.

(c) Easements allowing cross-access to and from lands served by a vehicular and pedestrian cross-access, along with agreements defining maintenance responsibilities of landowners pertaining to the vehicular cross-access, shall be recorded with the Register of Deeds.

(d) The Zoning Administrator may waive or modify the requirement for vehicular and pedestrian cross-access on determining that such cross–access is not allowed or undesirable due to the presence of topographic conditions, natural features, or vehicular safety factors.

(2) Sidewalks Required.

(a) In all districts, sidewalks, a minimum of five (5) feet in width, that comply with ADA Standards are required on both sides of all streets.

(b) Where a new development fronts an existing street with insufficient right- of-way width to accommodate installation of a required sidewalk along the frontage, the developer shall install a sidewalk on the development site within a dedicated public easement running parallel and adjacent to the public street.

(c) The Zoning Administrator may waive or modify the requirement for sidewalks on determining that such sidewalks are infeasible due to the presence of topographic conditions or natural features.

(3) Bicycle Facilities. New development or redevelopment shall include bicycle parking. Bicycle parking shall be placed within 100 feet of, and clearly visible from, the main entrance to the use served. Bike lanes, bike paths, or other bicycle facilities sufficient to allow safe and efficient bicycle access and circulation within the development shall be required when adjacent to planned or existing bicycle corridors.

(a) Retail, service, office, civic, institutional, mixed, and public uses shall provide two spaces per 4,000 square feet of gross floor area. No more than 8 individual spaces shall be required for any principal use.

(4) Off-Street Parking. Any new off-street vehicle parking area provided shall be developed in accordance with the regulations of this section and the development standards of the applicable district of this Ordinance.

(a) The number and width of curb cuts shall be the minimum needed to provide reasonable access to the site. Curb cuts shall meet the standards of the Berkeley County, South Carolina Department of Transportation, and the City of Goose Creek.

(b) Off-street parking areas shall be used solely for the parking of licensed motorized vehicles in operating condition. Required parking spaces and loading berths may not be used for the display of goods for sale, or the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies.

(c) Off-street parking areas and all off-street loading areas shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading berths and distinguishing such spaces or berths from aisles.

(d) Surface parking shall not be located in the front yard setback, nor between buildings and right-of-way, except in industrial districts. Surface parking on corner parcels shall not be allowed to be placed on the outside of corner lots.

(1) Where surface parking is adjacent to a public right-of-way, or part of a common development, a seat wall, with landscaping, shall be integrated with the architecture of the building.

(e) All off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material.

(f) The use of pervious or semi-pervious parking lot surfacing materials—including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids may be approved for off-street parking and loading areas, provided such surfacing is subject to an on-going maintenance program and shall be certified as capable of accommodating anticipated traffic loading stresses and maintenance impacts.

(g) All shopping cart return areas shall be primarily constructed of brick or concrete. Metal may be used as a secondary material. There shall be minimum one return area accessible in each drive aisle. The return area shall be landscaped appropriately.

(5) Except for off-street parking areas serving single-family detached or two-family dwellings, off-street parking areas shall be arranged so no parking or maneuvering incidental to parking shall occur on a public street or sidewalk.

(6) An entrance or exit to an off-street parking area shall not be located within 25 feet of a single-family residential district.

(7) Parking lots shall comply with applicable landscaping requirements.

(8) All off-street parking and loading areas shall be maintained in safe condition and good repair at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding land.

(9) All off-street parking and loading areas shall be completed prior to the issuance of a certificate of occupancy for the development they serve. In the case of phased development, off-street parking and loading areas may only be provided for the phase being developed.

(10) Vehicular surface areas containing 200 or more parking spaces shall be configured in accordance with the following standards:

(a) **Primary Drive Aisle.** Primary drive aisles within vehicular surface areas shall be designed to appear as an extension of the public street network extending from the public right-of-way along the full length of the primary facades of structures being served by the drive. The primary drive aisle(s) shall comply with the following standards:

(1) Have a minimum cross section width between curbs to serve two travel lanes.

(2) Include a sidewalk or curb-delineated pedestrian passageway, at least five (5) feet wide, along the front façade of a building when the drive aisle is aligned parallel to that building façade.

(3) Provide street trees along both sides of the primary drive aisle with a maximum spacing of 40 feet on-center. Understory trees

may be used adjacent to the building façade within 40 feet of building entrances.

(b) Pedestrian Pathways. The vehicular surface area shall provide fully separated, improved pedestrian pathways that:

(1) Are provided, at a minimum, every six (6) parallel parking rows (every three (3) double-row parking bays) or every 200 feet, whichever is the lesser dimension.

(2) Are enhanced with planted landscaping strips.

(3) Include, to the maximum extent practicable, a pathway aligned with and perpendicular to the primary entrance into the building served by the vehicular surface area (parking lot).

(4) Are paved with asphalt, cement, or other comparable material.

(5) Are of contrasting color or materials when crossing drive aisles.

(6) Are in compliance with applicable state and federal requirements while at a minimum are at least five (5) feet wide when located within planting strips, and ten (10) feet wide when crossing drive aisles.

(7) Connect to all existing or planned adjacent transit and pedestrian facilities.

(8) Provide safe and efficient pedestrian access to the use they serve.

(E) Minimum-Maximum Off-Street Spaces. The maximum number of off-street parking spaces shall not exceed 200 percent of the minimum number of off-street parking spaces required for that use. All spaces over 150 percent of the minimum shall be pervious pavers or similarly approved design. If there is no requirement for a minimum number of off-street parking spaces for the use, the maximum number of off-street parking spaces shall be reviewed as alternative compliance by the Zoning Administrator. The Zoning Administrator shall apply the minimum-maximum off-street parking space requirement specified for the listed use that is deemed most like the proposed use.

Parking Table

USE TYPE	MINIMUM NUMBER OF PARKING SPACES
Agricultural	
Plant Agricultural	No minimum
Community Garden	No minimum
Indoor Food Production	No minimum

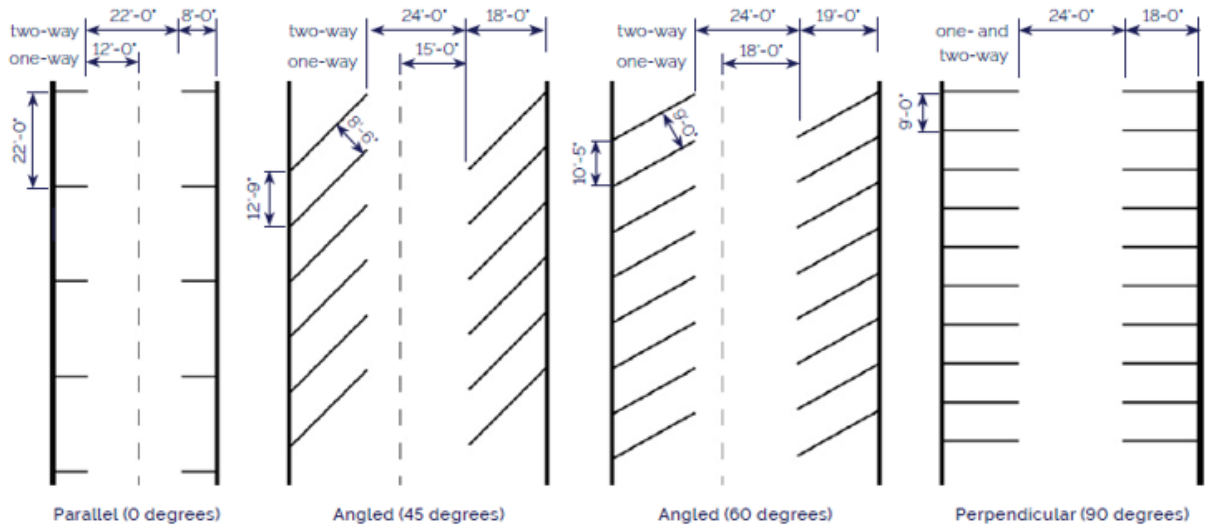
Civic, Institutional & Public	
Cemetery	No minimum
College/University	1 for every 2 faculty/FTE plus 1/500 sf classroom and research space
Community Center	3/1,000 sf
Government Office	3/1,000 sf
Hospital	1/300 sf
Library/Museum/Cultural Facility	3/1,000 sf
Medical or Dental Clinic	1/300 sf
Membership Organization Facility	1/500 sf
Nursing Care Facility	1 for every 6 beds
Parking Lot	No minimum
Parks & Open Space	No minimum
Park & Ride	No minimum
Public Safety Facility	In accordance with an approved alternative parking plan
Religious Institutions	1 for every 5 seats
School, Business or Trade	1 for every 3 persons
School, Pre-K - High	1 for every 6 students (design capacity) under 10th grade; 1 for every 2 students 10th grade and above
Social Service Facility	3/1,000 sf
Utilities, Major	1/500 sf office facilities
Utilities, Minor	1/500 sf office facilities
Wireless Communication	No minimum
Wireless Communication (Small Cell)	No minimum
Wireless Communication (Stealth)	No minimum

Industrial, Manufacturing, Processing	
Industrial, Artisan	2/1,000 sf
Industrial, Heavy	1.5/1,000 sf
Industrial, Light	1.5/1,000 sf
Research/Laboratory Facility	2/1,000 sf
Warehouse/Distribution	1.5/1,000 sf
Refuse Processing/Recycling Facility	2/1,000 sf
Residential & Group Living	
Continuing Care Retirement	1 for every 4 residents
Cottage Neighborhood	1.5/du
Dwelling, Accessory	N/A
Dwelling, 1 Unit, detached	2/du
Dwelling, 1 Unit, attached	2/du
Dwelling, 2 Unit	2/du
Dwelling, 3-4 Units	2/du
Dwelling, 5-8 Units	2/du
Dwelling, Mixed Use	In accordance with an approved alternative parking plan
Dwelling, Townhouse	2/du
Group Residence	1 for every 4 residents
Residential Care Facility	1 for every 4 residents
Retail, Service & Office	
Adult Business	1/300 sf
Animal Care	3/1,000 sf
Banquet Hall	5/1,000 sf
Beer/Wine/Liquor Sales	3/1,000 sf
Day Care Center	1/500 sf
Drinking Establishment	8/1,000 sf

Retail, Service & Office	
Drive-Through Facility	No minimum
Entertainment Facility, Indoor	5/1,000 sf
Entertainment Facility, Outdoor	In accordance with an approved alternative parking plan
Funeral Services	1/250 sf assembly area
Gas Station/Convenience Store	3.5/1,000 sf
Home Occupation	No minimum
Hotel	1 for each guest room plus 1/300 sf of restaurant space or meeting area
Non-Depository Credit Institution	3/1,000 sf
Pawn Shop	3.5/1,000 sf
Performing Arts Center	1 for every 5 seats at max. capacity
Personal Care & Services	3/1,000 sf or 1 per barber/salon chair
Private Club/Lodge	5/1,000 sf
Professional Offices	1/500 sf
Restaurant	8/1,000 sf seating area
Retail & Service, General	3.5/1,000 sf
Retail & Service, Intermediate	3/1,000 sf
Retail & Service, Heavy	2/1,000 sf
Self-Storage Facility	1/per employee, plus 1/5,000 gross floor area
Staple Food Store	In accordance with an approved alternative parking plan
Tattoo/Piercing	3/1,000 sf
Tobacco/Hookah/Vaping	3.5/1,000 sf
Vehicle Sales or Rental	4/1,000 sf plus 3 for each bay
Vehicle Rental, Truck	2/1,000 sf
Vehicle Service, Major	4/1,000 sf
Vehicle Service, Minor	4/1,000 sf
Vehicle Service, Commercial	2/1,000 sf

(F) Minimum Space-Aisle Standards.

Space Angle	Space Width	Parking Row Depth	Curb Width	Drive Aisle Width: One-Way	Drive Aisle Width: Two-Way
Parallel (0')	8'	8'	22'	12'	22'
45'	8'-6"	18'	12'-9"	15'	24'
60'	9'	19'	10'-5"	18'	24'
Perpendicular (90')	9'	18'	9'	24'	24'



(1) Right-of-way. Except for off-street parking areas serving single-family detached or two-family dwellings, parking spaces and access aisles shall be set back a minimum of ten feet from the street right-of-way.

(G) Parking Alternatives. The Zoning Administrator is authorized to consider an alternative parking plan that proposes alternatives to providing the off-street parking spaces, in accordance with the following standards.

(1) Parking Demand Study. An alternative parking plan that includes a parking demand study demonstrating how the number of parking spaces is adequate for the proposed development, or functional needs, and is in substantial compliance with the intent and purpose of parking standards. If the Zoning Administrator determines that the number of spaces is not adequate or exceeds the maximum, the Board of Zoning Appeals may consider a variance to the requirements, based on established criteria for a variance.

(2) Mixed-Use Development. A development containing more than one use shall provide parking spaces in an amount equal to the total of the standards for all individual uses. An applicant for a development containing more than one use

may submit an alternative parking plan that proposes a reduction in the minimum number of required off-street parking spaces for the development based on a comprehensive analysis of parking demand for each use by time of day.

(3) Existing Conditions Reduction. Where a property does not have the area available to provide off-street parking spaces because of existing conditions that were lawful at the time of establishment (e.g. an existing building covers the entire parcel), the following uses shall only be required to provide as many off-street parking spaces as will physically fit upon the property:

(a) Any nonresidential use that has a minimum parking requirement of three or fewer parking spaces for each 1,000 square feet of gross floor area or a retail sales use.

(4) Off-Site Parking. An alternative parking plan may be proposed to meet 10 percent of the minimum number of off-street parking spaces required for a use with public off-site parking —in accordance with the following standards.

(a) The zoning district classification of the off-site parking shall be one that allows the use and is designed to all applicable buffer and landscaping standards.

(b) Off-site parking spaces shall be located within 400 feet of the primary pedestrian entrances to the uses served by the parking. Distance shall be measured by the actual distance of the pedestrian walkway from the shared parking area to the primary pedestrian entrance(s), not a straight-line, point-to-point distance.

(c) Off-site parking spaces shall not be separated from the use they serve by an arterial street unless safe pedestrian access across the street is provided by appropriate traffic controls (e.g., signalized crosswalk), or a grade-separated pedestrian walkway.

(d) Adequate, safe, and well-lit pedestrian access shall be provided between the off-site parking area and the primary pedestrian entrances to the use served by the off-site parking.

(5) On-Street Parking. If on street parking is available, an alternative parking plan may propose to provide 10 percent or four (4) spaces, whichever is less, of the minimum number of off-street parking spaces required through on-street parking along streets that are adjacent to the development.

(H) Vehicle Stacking. In addition to meeting the off-street parking standards, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service facility, shall not impede on-site or off-site vehicular traffic movements or movements into or out of off-street parking spaces, nor impede pedestrian movements in a stacking plan. If applicable, requirements of SCDOT and/or Berkeley County may be considered.

(I) Loading-Fire Lane. Any new development involving the routine vehicular delivery or shipping of goods, supplies, or equipment to or from the development shall provide a sufficient number of off-street loading berths to accommodate the delivery and shipping operations of the development's uses in a safe and convenient manner. The off-street loading berth shall be arranged so that vehicles shall maneuver for loading and unloading entirely within the property lines of the site, without obstructing or interfering with any public right- of-way or any parking space or parking lot aisle. All requirements of Fire Code shall be required.

(J) Disabled. Every off-street vehicle parking area and parking garage available to the public shall have parking spaces reserved for the use of physically disabled persons as required by the latest federal ADA Accessibility Guidelines.

(K) Electric Vehicle Charging Stations (EVCSs)

(1) An electric vehicle charging station shall mean a public or private parking space located together with a battery charging station which permits the transfer of electric energy (by conductive or inductive means) to a battery or other storage device in an electric vehicle.

(2) If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered a motor fuel station for zoning purposes. Installation shall be located in zoning districts which permit motor fuel stations.

(3) All new or reconstructed parking structures or lots shall be required to install EVCSs according to below when one of the following conditions is met:

(a) The development includes a new off-street parking facility with more than 20 spaces; or

(b) The parking capacity of an existing building, site, or parking facility with 20 or more spaces is increased by 30 percent or more; or

(c) The new or existing off-street parking facility is for a mixed-use or commercial land use.

(4) General Station Requirements

(a) **Size**. A standard size parking space shall be used for an electric vehicle charging station where such a station is required or planned.

(b) **Equipment Standards and Protection.** Where provided, parking for electric vehicle charging purposes shall meet the following standards:

(1) EV charging stations shall not be permissible inside structures in commercial and residential districts.

(2) Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.

(3) All EV charging station parking areas are required to be a minimum to ten (10) feet from noncharging station parking areas and structures.

(4) Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted and shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.

(5) When the electric vehicle parking space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops, or concrete-filled steel bollards shall be used.

(6) Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment by the owner or operator.

(c) **Informational Signage.** Electric vehicle charging stations, other than in residential use, shall have posted directional signage allowing only charging electric vehicles to park in such spaces. For the purposes of this subsection, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the charging station equipment. Signage for parking of electric vehicles shall include:

(1) Information on the charging station to identify voltage and amperage levels and any time of use, fees, or safety information.

(2) As appropriate, directional signs to effectively guide motorists to the charging station space(s).

5.7 Traffic Impact Analysis

(A) Traffic Impact Analysis. A Traffic Impact Analysis (a "TIA") may be required by other agencies, such as Berkeley County and SCDOT.

5.8 Signs

(A) Purpose. The purpose of this section is to promote the public health, safety, and welfare; and regulate the markets through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and design requirements. With these concepts in mind, this section is adopted for the following purposes:

(1) To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the public realm which affects the image of the City.

(2) To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be partially attributable to cluttered, distracting, and/or illegible signage.

(3) To promote the use of signs which are aesthetically pleasing, of appropriate scale, and integrated with the surrounding buildings and landscape, in order to meet the community's expressed desire for quality development.

(4) To promote and accomplish the goals, policies, and objectives of the City Council.

(5) To balance public and private objectives by allowing adequate signage for business identification.

(6) To provide Design standards which are consistent with other applicable ordinances and provisions.

(7) To reduce the risk of property damage and personal injury from signs which are improperly constructed, improperly installed, or poorly maintained.

(B) Intent.

(1) To provide reasonably uniform standards while allowing functional flexibility, encourage variety, and create an incentive to relate signage to basic principles of good design.

(2) To assure the public benefits derived from expenditures of public funds for the improvement and beautification of streets, and other public structures and spaces, are protected by exercising reasonable control over the character and design of sign structures which are near the rights-of-way.

(3) To provide an improved visual environment for the citizens and visitors of the City.

(C) General Provisions.

(1) Severability. If any portion of this Ordinance is deemed invalid on any basis, it shall be severable from the remaining portions with the intent that remaining portions be construed to accomplish the purpose of this Ordinance.

(2) Applicability. The regulations herein shall apply and govern all signs located in the City of Goose Creek. This section establishes the standards for the design, location, and characteristics of signs that are permitted as principal or accessory uses. No sign is permitted in The City except in conformity with this section.

(D) General Standards.

(1) A permit shall be required for the erection, alteration, or reconstruction of any sign intended for view from the public right-of-way unless otherwise noted and shall be issued by the Zoning Administrator in accordance with this Ordinance.

(2) No sign shall interfere with motorists' vision, nor simulate traffic control or emergency vehicle lighting.

(3) Hazard or directional signage. Signs less than four square feet in area, pointing out dangers to human safety existing immediately around the sign or safety devices on the property such as "flammable," "dangerous dog," "fire extinguisher," "step," "fire escape," "high voltage," "danger," "keep out," "no trespassing" or similar words and/or symbols, shall not be included in computing maximum allowable sign area. These signs shall not include any advertisements or the logo or colors of a business or other information not directly related to the danger or safety device or method.

(4) Compliance with building and electrical codes. All signs in their installation, maintenance, and removal must comply with the provisions of the building and electrical codes adopted by the City. The Zoning Administrator or Building Official may require additional certification by an engineer when he/she is uncertain that the proposed method of construction is adequate.

(5) All signs shall be maintained in sound structural condition. No sign shall be allowed to deteriorate to a condition in which it requires repairs or renovations in an amount that exceeds fifty percent (50 percent) of its current replacement cost as determined by a licensed sign company. This includes signs which are defaced, missing some or all illumination or characters, and whose finishes or facings are chipping, peeling, cracking, or broken in any way shall be deemed to be in disrepair. Signs that deteriorate to such a condition that they are in violation of this Ordinance shall be either removed, repaired, or replaced within sixty (60) days after the receipt of notification from the Zoning Administrator. If a sign is replaced, it shall comply with the standards in this section at the time of replacement. Nonconforming signs are subject to the provisions of this Ordinance.

(6) No sign or lighting device shall be placed or directed to permit beams or illumination upon a public road, highway, sidewalk or adjacent premises or residence, or skyward so as to cause a traffic hazard or nuisance. No sign

lighting is allowed which switches on and off intermittently, changes intensity and/or color, or otherwise creates an illusion of flashing or movement. All bare light bulbs, except bulbs less than 15 watts, shall be directed toward the face of the sign. Signs within 50 feet of a residential district shall be shielded from casting glare into the district. Signs within residential districts shall be shielded from casting illumination into residences within one hundred (100) feet.

(7) When choosing to illuminate a sign, the following standards shall apply:

- **(a)** The use of backlit (halo), individually cut reverse channel letter signs, or stenciled panels made of an opaque material with three-dimensional push-through graphics is required.
- **(b)** Other types of illumination which are permissible include goose neck lighting, up-lighting, and down-lighting.
- **(c)** A night view must be submitted with completed sign permit application.
- **(d)** Exposed raceways and conduits are prohibited.

(8) Height, setback, measurement, and location.

- **(a)** Freestanding signs shall not extend within a street right-of-way or obstruct vision within the sight triangle.
- **(b)** When a sign's base is located below the grade of a road that is adjacent to the property and to which it is oriented, the sign height shall be measured from the grade of that road centerline.
- **(c)** The dimensional requirements for sign faces shall be considered the allowable area of any one sign face, whether the sign is single or double-faced. No projecting sign shall project more than 24 inches over a sidewalk right-of-way, provided that no part of the sign shall encroach within a vertical plane measured two (2) feet from the edge of the adjacent street pavement. The bottom edge of the sign must maintain a clearance of at least eight (8) feet from the finish grade level below the sign.
- **(d)** Freestanding monument signs, awning signs, canopy signs, marquee signs, and temporary signs shall be located within the property lines and have a minimum setback of ten (10) feet from the back of curb, and shall not be installed within, nor project into the vertical plane of the street right-of-way.
- **(e)** Fascia signs may project no more than six (6) inches from a wall.
- **(f)** Wall signs and projecting signs may not extend above the roof line.
- **(g)** No sign shall be attached to or obstruct any fire escape or opening intended as a firefighting point of ingress or egress, interfere with any opening required for legal ventilation or prevent free passage from on part of a roof to another.
- **(h)** Street furniture, such as benches, waste receptacles, fountains and the like shall not be used for advertising purposes.

(i) The placement of signs shall ensure visibility at intersections and ingress and egress points.

(9) Colors shall be harmonious, and only compatible accents shall be used. Color combinations of paints or stains shall be complimentary to any existing or proposed structure(s), or provide an improved palette than any existing structure(s) and the adjacent environment. Color and texture for architectural finishes shall be selected to provide visual unity. Unpainted, bright metal, reflective, bright or garish colors, or garish contrasting surfaces are prohibited.

(10) Additional standards are provided in the City's Design and Regulations Manual.

(E) Prohibited Signs. Unless specifically permitted elsewhere, the following signs shall be prohibited in the City of Goose Creek:

(1) Signs which imitate an official traffic sign or signal, safety related signage (e.g., "Fire Escape" or Exit") or contain words or symbols displayed in a manner which could mislead or confuse drivers of vehicles, or which display intermittent lights resembling the color, size, shapes or order of lights customarily used in traffic signals or on emergency vehicles or on law enforcement vehicles.

(2) Signs which utilize lights, individually, as part of a lighting component, or in any other manner, that flash, strobe, pulsate, blink, twinkle, and/or that create a sense of movement by scrolling, rolling, expanding and contracting written messages or visual images, and/or that recreate or simulate moving video images.

(3) Signs appearing in such a manner as to obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic, or of a traffic signal, device or sign, or which would otherwise interfere with a driver's operation of a motor vehicle.

(4) Signs employing motion.

(5) Sign lighting that casts intense illumination onto any residential premises located in any residential district in a manner that by intensity, duration, location, or other characteristic is incompatible with a residential character.

(6) Stationary vehicle signs present in same location for more than 48 hours or abandoned vehicle signs.

(7) Portable signs.

(8) Roof signs except that roof signs will be considered on a case-by-case basis in the Red Bank Overlay District.

(9) Manual changeable copy reader board signs.

(10) Any sign which emits a sound, odor, or visible matter.

(11) Signs using the words "Stop", "Danger" or any word, phrase, symbol, or character typical of a life-safety sign (e.g., "High Voltage") if used in such a manner as would pose a risk to motorists or pedestrians', including ones which pose a substantial risk of confusing a driver.

(12) Signs painted on or attached to trees, fences, parking bollards, rocks or natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.

(13) Signs installed or erected upon any public right of way including the unpaved portion of any road or right-of-way. This does not apply to signs installed by or on behalf of any governmental entity having the right to install signs of that type at that location.

(14) Any sign towed behind a boat, raft, aircraft, helicopter, or recreation vehicle.

(15) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects.

(16) Beacons or search lights.

(17) Inflatable signs, including balloons.

(18) Streamers, ribbons, windblown propellers, feathers, strung light bulbs, pennants, bench or furniture signs.

(19) Off-premises signs.

(20) Abandoned signs.

(21) Dilapidated signs.

(22) Bandit signs.

(23) Flags containing text or graphics advertising a business, service, or product.

(24) Pylon and pole signs.

(25) Permanent banner signs.

(26) Signs in wetlands shall not be permitted except by government entities.

(27) Internal illuminated awning signs.

(28) Signs erected without the permission of the owner or other person having a legal right to install signs at that location.

(29) Signs erected on the property of the City of Goose Creek, except those erected by or on behalf of the City of Goose Creek.

(30) Rope lighting, including rope lighting located on the interior of a building.

(F) Signs for Which a Permit is Not Required. A permit shall not be required for the following types of signs, provided all other applicable provisions of this Ordinance are met. Such signs shall not be considered in determining the allowable number or size of signs on a lot.

(1) Traffic signs, including directional, wayfinding, warning and information signs, owned by the City, County or SCDOT, and located in public rights-of-way or other adjacent property.

(2) Official notices issued, or required to be posted, by any federal, state, county, or municipal government.

(3) Signs not exceeding one square foot in area and bearing only the property address, names of owners or occupants of the premises, or other identification of premises, and not having a commercial message. Governmental flags of the United States or State of South Carolina except when displayed in connection with commercial promotion.

(4) Government flags of the United States or State of South Carolina except when displayed in connection with commercial promotion.

(5) Indoor signs not observable from outside the building.

(6) Public utility signs not exceeding one square foot in area provided they are placed on the utility s equipment or adjacent to the utility's equipment (e.g., high voltage sign or the name of the utility that owns the pole).

(7) Window signs not exceeding two square feet, indicating business hours of operation, credit cards which are accepted on the premises, or group affiliations with which the business is associated, or clubs or groups which utilize, recommend, inspect or approve the business for use by its members, and non- illuminated "open" and "closed" signs.

(8) Gasoline station pump signs. Signs shall be allowed on gasoline station pumps so as to provide information to the public such as gallons, price, octane rating, and type of fuel. As the trade name of the business is often times incorporated into the name for the different types of fuel, the trade name and any associated symbols shall be permitted on the pumps as flat signs not to exceed three square feet in area per sign face and shall not extend above the top of the fuel pump.

(9) Signs to warn of a danger to human safety existing immediately around the sign or safety devices or methods in the area of the sign, including no trespassing signs. Examples of this would include "Keep Out", "Flammable", "Dangerous Dog" or "Fire Escape".

(10) If a property is for sale, lease or rent by a licensed real estate agent or via a bona fide for sale by owner or private listing, the property may have one sign per street frontage restricted as follows:

(11) A freestanding temporary sign subject to the following:

- **(a)** For a single-family residential lot, one eight-square-foot sign is allowed per property.
- **(b)** For all properties other than single-family residential, one (1) 32 square foot sign is allowed per property.
- **(c)** A temporary street sign which shall be restricted to non-residential areas only and shall be limited to one (1) 32 square foot sign per street frontage of the building on the side facing the street. Thus, a non-residential building for sale or lease could utilize this provision to have a "For Sale" or "For Lease" sign on each side that there is street frontage.
- **(d)** The signs in (A) and (B) shall be alternatives for non-residential structures. Each street frontage shall be allowed one sign of either type, not both. Thus, a home for sale could have a freestanding temporary freestanding sign up to eight square foot per street frontage. If the house had frontage on two sides, then one temporary freestanding sign would be allowed on each street. On the other hand, a commercial property held out for sale or lease might have a temporary sign up to 32 square feet on one side and a temporary sign

affixed to the building up to 32 square feet on another side if it had two street frontages.

(e) The sign shall be removed within 30 days of the property being sold, rented or leased. Construction signs shall be removed once building is occupied.

(12) Wall signs located at a service entrance provided there is not more than one per business and the sign does not exceed four square feet in area.

(13) Signs on or a part of a vending machine, donation container, and similar accessory equipment, which are an integral part of the equipment and advertise only the products or services available from that equipment.

(14) Scoreboards and other signs at outdoor recreation facilities, and oriented to the interior of the facility.

(15) Temporary residential signage not otherwise prohibited and as specifically outlined herein, that does not exceed 32 square feet, ground mounted, less than four (4) feet in height and located at least 10 feet away from any right-of-way.

(16) Signs During Elections and Referendums: During the Period 30 days prior to an election or referendum applicable to citizens of the City of Goose Creek and seven (7) days after such an election or referendum, a property owner or tenant in possession may post up to four (4) non-commercial signs and another one for each 100 feet of street frontage. Signs shall not exceed eight square feet per sign face in residential areas and 32 square feet in commercial areas.

(G) Regulations by Zoning District. A permit shall be obtained prior to the erection, installation, or display of any signs except those not required to have a permit. The following permanent signs and no others shall be allowed, subject to the issuance of a sign permit and compliance with all applicable development standards of this article. The following regulations apply to the following specified types of signs:

(1) Residential Zoning District.

(a) For a property used principally as a residence, one sign not to exceed 10 square feet with a minimum allowance of one sign per separate dwelling unit. Each residence gets one sign.

(b) For property principally used as a residence, one temporary sign not to exceed 8 square feet which is displayed no more than three times per year for a total not to exceed 21 days total in any calendar year. This will allow for garage and yard sale signs, or special celebration signs such as for a graduation or birthday. The three (3) times per year and 21 total days limit applies even if the message on the sign or sign itself changes.

(c) For each property in a residential district with structures that have a lawful principal use other than a residence, one sign, bulletin board or entrance marker not exceeding 32 square feet. This only applies to a lawful principal use of a property for something other than a residence

in the residential area. This does not apply to home occupation businesses.

(d) Such signs shall be permanent in nature. The right to this type of sign ends when the structures on the property are no longer principally used for a non-residence.

(e) While a property has a valid building permit for construction or a substantial renovation a sign not over 20 square feet in area, to be removed within thirty 30 days after project completion. This would allow for a sign reflecting the contractor or subcontractors, financing company.

(f) Subdivision entrance sign(s), to be approved by the Zoning Administrator.

(2) Commercial Zoning Districts.

(a) **Window Signs.** Window signs are those signs which are attached to or located within 12 inches of the interior of a window. Window signs may be displayed in ground floor windows only. Allowances for the number and size of window signs are provided in the Sign Table.

(b) **Building Signs.** Building signs are those types of signs attached to a building, and include wall signs, awning signs, and projecting signs. Allowances for the number and size of building signs are provided in the Sign Table. Applicants are required to submit sign plans for evaluation during the sign permit review process.

(1) Standards for all building signs.

(a) Building signs for businesses occupying space above the ground floor of a building are not allowed, except for multi-story buildings, and only for the primary tenant as determined by the building owner. Identification for other tenants should be limited to an area on or adjacent to the ground floor door leading to the upper floor.

(b) The use of awnings for the primary purpose of providing signage is not appropriate. Internal illumination of semi-opaque awnings is not permitted.

(c) A master sign package for multi-tenant development shall be submitted as part of the permit review process.

(c) **Façade Repair Process.** Repair of the building facade is required during building sign replacement. The repair of any holes, electrical wiring, paint discoloration, exposed raceways, obsolete signage, or

other repairs as noted by the Zoning Administrator is required prior to final approval.

(d) **Freestanding Signs.** Freestanding signs are those types of signs that are supported by a structure secured to the ground and are wholly independent of any building, other than a proportionate sign structure, for support. Freestanding signs include monument signs. Allowances for the number and size of freestanding signs are provided in the sign table. Applicants are encouraged to submit sign plans for evaluation during the site plan and building permit review package.

(1) Address. The address of the property shall be displayed on the freestanding sign oriented to the street on which the address is assigned. The address shall be displayed using a character size of at least six inches tall. Signs perpendicular to vehicular travel shall have the address on both sides of the signage. Address shall be illuminated.

(2) Landscaping. Monument style signs are an integral part of the overall built and landscaped environment of a site. Landscaping around the base of a freestanding sign must be used to soften a blank base of a sign and to help integrate a sign into its surroundings. Evergreen foundation plantings are required. A landscape plan and schedule must be submitted with completed sign application. Plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign.

(3) A business may substitute a freestanding sign for one additional building sign, provided that the cumulative square footage does not exceed the maximum allowable area schedule must be submitted with completed sign application.

(4) Monument sign design and materials shall relate to the main building.

(e) **Electronic Message Board (EMBs) Signs.**

(1) Permitted locations. Schools, places of worship, and governmental buildings including municipal complexes.

(2) Sign, style, height, width, and setback. The electronic message board shall be integrated into a monument sign with a brick or stone base. The sign shall not exceed eight feet in height and ten feet in width, including the base and all brickwork. The sign shall be setback with a minimum of ten feet from the front property line. The electronic message board may display letters only, with a maximum of three lines of text. Only numbers and text are permitted.

(3) Electronic Message Board Sign area. The maximum area of the electronic message board sign component shall not exceed 32 square feet or 50 percent of the total sign area, whichever is less.

(4) Color and brightness control. Message copy shall be limited to one color (Zoning Administrator to approve color; school spirit colors allowed upon approval), white or amber, on a black background. The sign shall be equipped with photosensitive equipment which automatically adjusts to the brightness and contrast of the sign in direct relation to the ambient outdoor illumination.

(5) Interval. The sign may only display one new message per hour unless required for emergencies.

(6) Movement. The use of animation, flashing, scrolling, or blinking characters is prohibited.

(f) Electronic Message Center (EMC) Signs.

(1) To be permitted for service/gas station fuel pricing. EMC Illumination Measurement Criteria: The illuminance of an EMC shall be measured with an illuminance meter set to measure foot-candles accurate to at least two decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color-capable EMC, or a solid message for a single-color EMC. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the EMC as set forth in the accompanying Sign Area of a Sign versus Measurement Distance table.

(2) EMC Illumination Limits: The difference between the off and solid-message measurements using the EMC Measurement Criteria shall not exceed 0.3 foot-candles at night.

(3) Dimming Capabilities: All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.

(4) Limits of EMC Use: The EMC shall only be permitted on gas stations and the price for gasoline displayed in RED numerals and GREEN for Diesel fuel with black background.

(5) Interval: Displays shall only change a fuel price adjustment. It is not permitted to cycle through various fuel grades or payment options.

(g) Freestanding Multi-Tenant Signs. For group developments where multi-tenant freestanding signs are used, the number of tenant panels on each sign shall be limited to five, plus the name of the

development. Allowances for the number and size of multi-tenant signs are provided in this Ordinance. Businesses located in shopping centers are not authorized to erect freestanding signs.

(1) Address. The address of the property shall be displayed on the freestanding sign oriented to the street on which the address is assigned. The address shall be displayed using a character size of at least six inches tall. Signs perpendicular to vehicular travel shall have the address on both sides of the signage.

(2) Master sign package for multi-tenant development shall be submitted as part of the permit review process.

(3) Monument sign design and materials shall relate to the main building.

(3) Industrial Zoning Districts

(a) **Window Signs.** Window signs are those signs which are attached to or located within 12 inches of the interior of a window. Window signs may be displayed in ground floor windows only. Allowances for the number and size of window signs are provided in the Sign Table.

(b) **Building Signs.** Building signs are those types of signs attached to a building, and include wall signs, awning signs, and projecting signs. Allowances for the number and size of building signs are provided in the Sign Table. Applicants are required to submit sign plans for evaluation during the sign permit review process. Standards:

(1) Building signs for businesses occupying space above the ground floor of a building are not allowed, except for multi-story buildings, and only for the primary tenant as determined by the building owner. Identification for other tenants should be limited to an area on or adjacent to the ground floor door leading to the upper floor.

(2) The use of awnings for the primary purpose of providing signage is not appropriate. Internal illumination of semi-opaque awnings is not permitted.

(c) **Façade Repair Process.** Repair of the building facade is required during building sign replacement. The repair of any holes, electrical wiring, paint discoloration, exposed raceways, obsolete signage, or other repairs as noted by the Zoning Administrator is required prior to final approval.

(d) **Freestanding Signs.** Freestanding signs are those types of signs that are supported by a structure secured to the ground and are wholly independent of any building, other than a proportionate sign structure, for support. Freestanding signs include monument signs.

(1) Freestanding signs in industrial districts are exempt from base requirements as included in the definition of monument sign.

(2) Freestanding signs in industrial districts shall not have a sign

face which exceeds 170 square feet and shall not exceed 10 feet in height.

(3) Businesses in industrial zoning districts may have more than one freestanding sign provided the cumulative square footage of their sign faces does not exceed 170 square feet.

(4) A business may substitute a freestanding sign for one additional building sign, provided that the cumulative square footage does not exceed the maximum allowable area schedule must be submitted with completed sign application.

(H) Temporary Event Signs and Display of Flags. Special Event Signs and Banners. Special event signs/banners are restricted to businesses, churches, schools, and government entities other than the City of Goose Creek and are subject to the following conditions and limitations:

(1) Each business, church or school is limited to two special event sign/banners during the calendar year and must obtain a permit from the Zoning Administrator.

(2) All temporary event signage must be temporary in nature.

(3) Only one banner or special event sign is allowed for each special event at any given time.

(4) Banners and special event signs may be displayed a maximum of 30 days and no more than twice per year. Applicants shall indicate on the permit the days the special event signs or banners will be displayed.

(5) Banners and special event signage shall be properly secured and maintained at all times and shall not interfere with pedestrian or vehicular movement. Banners shall not be strewn between buildings, utility poles, trees or over rights-of-ways or public sidewalks.

(6) The maximum size of a banner or special event sign shall be 50 square feet.

(7) Faded, tattered, or unsecured banners and mounting hardware which is broken or bent shall be removed or repaired in a timely manner.

(8) Restrictions are not applicable to signs installed by the City of Goose Creek.

(I) Display of National, State, and Corporate Flags.

(1) The maximum height above grade for a ground mounted flagpole shall be 35 feet or 15 feet above the highest point of the roof.

(2) No individual flag may exceed 50 square feet in area.

(3) No more than three (3) flags may be displayed from a single pole or device. No more than three (3) flags maybe displayed on a single site, lot or parcel, whether on single or multiple poles.

(I) Calculation of Display Area for Signage.

(1) General - The sign face area shall be the advertising display surface of the sign.

(2) Size of Sign Face Area - In the case of freestanding signs, the sign face area consists of the entire surface area of the sign on which copy could be placed.

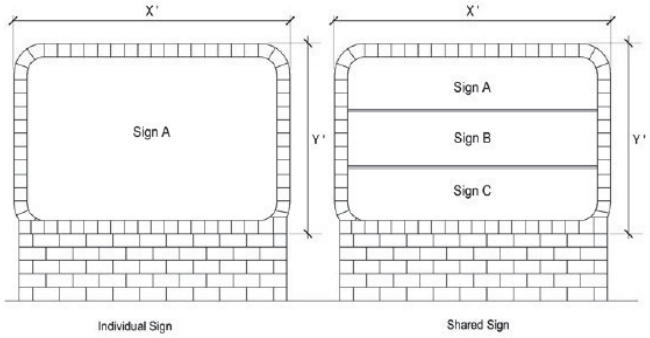
(3) Supporting Structure Not Counted - The supporting structure or bracing of a sign shall not be counted as part of sign face area unless such structure or bracing is made a part of the sign's message.

(4) Buildings on a Corner Lot – Buildings located on a corner lot shall be considered to have two frontages and two rears. Each building frontage shall receive its own permitted sign face area and total number of signs for the purposes of wall signage. Any signage on the rear of the building shall contribute to the permitted sign face area and total number of signs of the corresponding building frontage.

(5) Gas Station Canopies – Signage which is located on gas station canopies shall contribute to the overall allowed signage for the primary structure located on the parcel. Any arrows, lines, polygons, or other copy shall contribute to allowed signage.

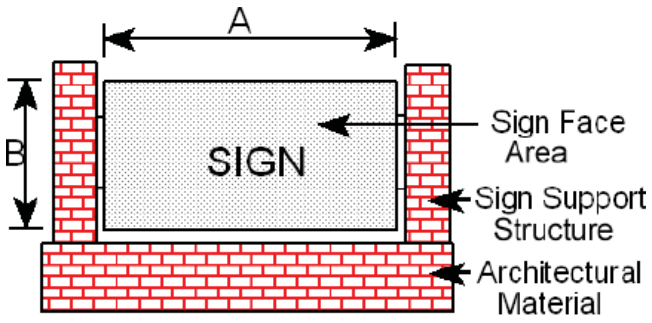
(6) Co-location - Individual uses on adjoining lands may place their individual freestanding signage on a single sign support structure provided the combined sign face area does not exceed the amount of sign face area permitted if the freestanding signs would have been constructed separately. Sign support structures shall comply with the height limits regardless of the number of collocated signage.

Figure 1: Co-Location Sign



(7) Two-Sided Signs - Where a sign has two (2) identical display faces back-to-back, the area of only one (1) face shall be considered the sign face area. Where a sign has more than one (1) display face, all areas that can be viewed simultaneously shall be considered the sign face area as depicted in Figure 2, Two-Sided Sign:

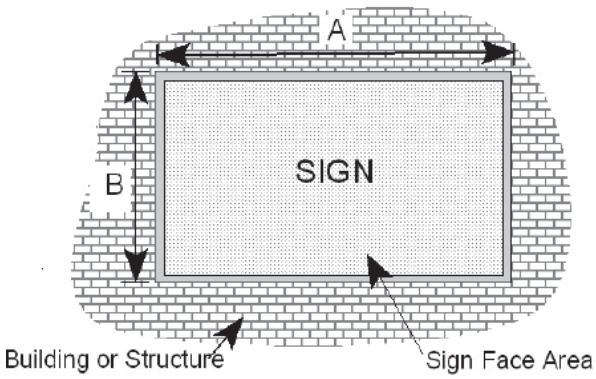
Figure 2: Two-Sided Signs



Sign Area = (A) x (B)

(8) Signs with a Background - In the case of a sign whose message is fabricated together with the background which borders or frames that message, the sign face area shall be the total area of the entire background as depicted in Figure 3, Signs with a Background:

Figure 3: Signs with a Background

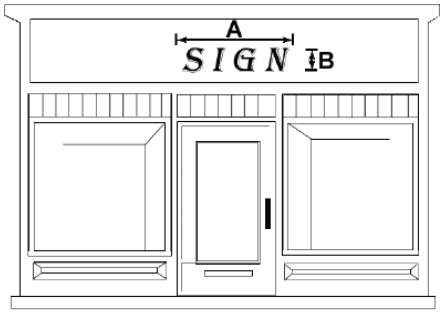


Sign Area = (A) x (B)

(9) Signs with No Border or Frame- In the case of a sign whose message is applied to a background which provides no border or frame, sign face area shall be the area that can encompass all words, letters, figures, emblems, and other elements of the sign message as depicted in Figure 4.

Figure 4: Signs with No Border or Frame:

Sign Height



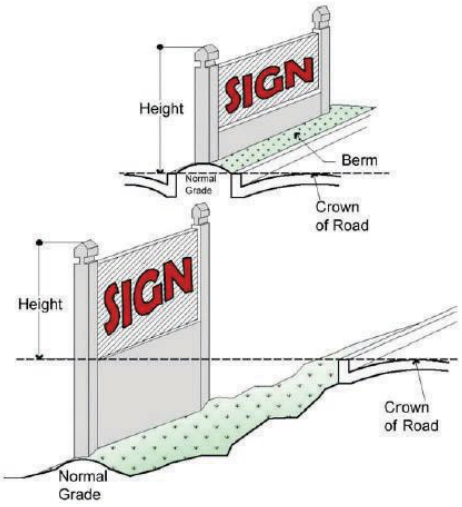
Sign Area = (A) x (B)

(10) No freestanding sign shall exceed ten (10) feet in height as measured from the base of the sign in all non-residential zoning districts.

(11) Sign height shall be measured from the base of the sign at normal grade to the highest point of the sign support structure, or sign face, whichever is higher. For the purposes of this subsection, "normal grade" shall mean the newly established grade after construction, not including any filling, berming,

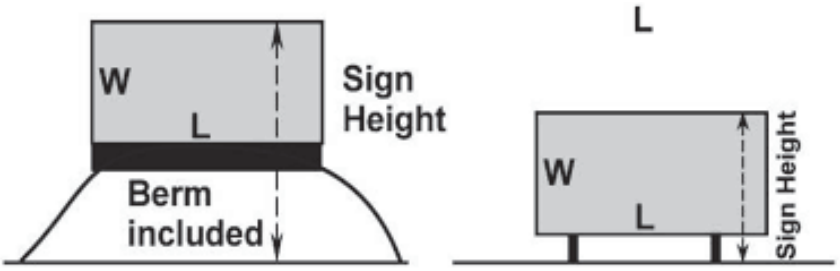
mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade is below the grade of the street to which the sign is oriented, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the crown of the adjacent street as depicted in Figure 5.

Figure 5: Sign Height



(12) For signs placed on a landscaped berm or raised landscape area, such as a planter or retaining wall, the height of the berm or raised area is included when calculating the height of the size as depicted in Figure 6. The Zoning Administrator may allow sign heights and/or area in excess of the maximum in cases where additional height is required to raise the base of the sign to the mean elevation (street level) or the fronting street where displayed.

Figure 6: Sign Height/Berm or Raised Area



5.9 Sign Table

Wall Signs			
Distance from Front Property Line to Building/Wall Front:	**Linear Store Front Multiplied By:**	**Total Area (Square Feet) Not to Exceed:**	**Total Number of Signs Not to Exceed**
0-99 feet	1	200	2
100-399 feet	1.5	300	3
400 feet or more	2	400	4

Window Signs		
Number	**Copy Area**	**Applicable Standards**
Two (2) per Tenant	25 percent of tenant window area for all window signs	Does not include business hours of operation, credit cards which are accepted on the premises, or group affiliations with which the business is associated, or clubs or groups which utilize, recommend, inspect or approve the business for use by its members, and non-illuminated "open" and "closed" signs.

Awning Signs			
Number	**Height**	**Copy Area**	**Applicable Standards**
One (1) per tenant	Not above roof Line or parapet	Shall not exceed 20% of the front surface of the building	Special exception given to signage with use of logos; colors should be neutral and/or earth tone as to not contrast with adjacent signage or architecture.

Freestanding Ground Signs				
Sign Type	**Number**	**Height**	**Sign Face Area**	**Applicable Standards**
Directional	Site Specific	3 feet	3 square feet	Base materials shall include brick, stone, or other Staff approved design and neutral color combinations that complement the architecture of the principal structure. In no case shall monument signs on the same site be located closer than 300 feet. The base of the freestanding ground sign shall be at least 40% the area of the sign face but no more than 1.5 times the area of the sign face.
Monument Sign	One per Building	10 feet	32 square feet	
Multi-Tenant Sign Limit five (5)	One per Development (unless more than 500 linear feet of road frontage)	12 feet	1 square foot per linear foot of lot frontage (not to exceed 144 square feet)	

5.10 Form, Design & Operational Standards

(A) Intent. To provide landowners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for quality development.

(B) Design District Overlay Standards.

(1) Red Bank Design Overlay

(2) Central Creek Design Overlay

(C) Goose Creek Design and Regulations Manual. Architectural and Site Design Standards, which may be amended by Staff, shall apply for all development unless otherwise excluded.

(D) Fences & Walls. A fence or wall located in a required yard shall comply with the height standards and shall not extend within street right-of-way or obstruct vision within the sight triangle. Gates shall not swing outward over a sidewalk or into the right-of-way.

(1) Materials. Fences shall relate to the building and context and be constructed of brick, masonry stone, wrought iron, wood, vinyl, cementitious composite materials, or other Zoning Administrator approved materials. Hazardous fences and fences constructed of fabric materials, fiberboard, garage door panels, plywood, rolled plastic, or vinyl or plastic tarps are prohibited. All fences shall be constructed so that the finished side faces outward. The Building Official may require the manufacturer's design and standards to be established in certain cases.

(2) Exceptions. Chain link fencing shall be permitted in the side or rear yard in RSF and RM Zoning Districts, excluding the secondary front yard. Industrial uses are exempt from maximum height and chain link fence requirements.

MAXIMUM FENCE OR WALL HEIGHT IN REQUIRED YARDS	
REQUIRED YARD	**MAXIMUM HEIGHT OF FENCE OR WALL**
Side or rear yard	7 feet
Second front yard on corner lot	4 feet
Front yard, other than second front yard on corner lot	4 feet
NOTES: [1] A retaining wall may exceed the maximum heights in this table if it does not unreasonably impede visibility of street traffic from vehicles exiting driveways. [2] The Zoning Administrator may permit a fence up to 6 feet in height in second front yard on a corner lot, if adjacent structures have a similar setback. [3] Fence posts and wall columns may extend above the maximum fence heights by 36 inches, provided no part of a fence or wall shall have a height greater than eight feet.	

(E) Exterior Lighting. All exterior luminaries, including security lighting, shall be full cut-off fixtures that are directed downward. In no case shall lighting be directed above a horizontal plane through the lighting fixture. Lighting shall be designed so that excessive light spillage and glare are not directed at adjacent lands, neighboring areas, and motorists. Review for compliance with the standards shall occur with plan review and/or an application for planned development. Lighting for public art, regulatory, monuments, Zoning Administrator approved temporary uses, and holiday display, shall be exempt.

MAXIMUM HEIGHT FOR EXTERIOR LIGHTING	
BASE ZONING DISTRICT	**MAXIMUM HEIGHT**
Residential	16 feet
Commercial/Mixed Use	20 feet
Industrial	30 feet
Within 100 feet of a Residential District	16 feet
Approved athletic field lighting	95 feet
*Athletic field lighting shall be extinguished no later than 11:00 PM, except to complete a game in progress.	

Section Six: Land Development and Subdivision Standards

6.1 Intent of Chapter

(A) Intent. The developer shall complete all public improvements, as required in this Ordinance, and dedicate those public improvements to the appropriate body, free and clear of all liens and encumbrances on the dedicated property and public improvements.

6.2 General Standards

(A) Conformity. Improvements shall be installed in accordance with the requirements and standards set forth in this Ordinance, the City's Design and Regulations Manual which may be amended by Staff, and other specifications and policies of the City of Goose Creek, Berkeley County Engineering, Berkeley County Water and Sanitation Authority, Charleston Water System, the South Carolina Department of Transportation, the South Carolina Department of Environmental Services, and other agencies of jurisdiction.

(B) Access and inspections. Before beginning any work within the development, the developer shall make arrangements with those public agencies charged with the enforcement of the provisions of this Ordinance to provide for adequate inspection of the improvements. All public agencies shall have access to the premises and structures of a development under jurisdiction of this Ordinance during reasonable hours to make those inspections as deemed necessary by them to ensure compliance with the provisions of this Ordinance.

6.3 Maintenance of Improvements

(A) The developer shall provide for the perpetual maintenance of all public improvements via one (1) of the following:

- **(1)** Dedication to a public entity equipped to maintain those public improvements offered to it. The public entity may accept or refuse the improvements at its sole discretion.
- **(2)** Conveyance of public improvements to a private entity equipped to maintain those public improvements offered to it.
- **(3)** Establishment of a property owners association and conveyance of public improvements thereto. The association must be duly chartered by the State of South Carolina and recorded with the Berkeley County Register of Deeds.

(B) The developer shall provide for the perpetual maintenance of all environmental resources, including open space and wetlands and any associated buffering, via one (1) of the aforementioned maintenance methods or via one (1) of the following:

(1) Conveyance of the environmental resources to a landowner, typically a non-profit organization, whose principal mission is conservation of natural and cultural resources, with deed restrictions to that effect; or

(2) Dedication of a conservation easement protecting the environmental resources to a landowner, typically a non-profit organization, whose principal mission is conservation of natural and cultural resources, with a legal maintenance agreement from the same.

(C) The improvements shall be conveyed with appropriate easements and/or deed restrictions that ensure perpetual service of the improvements to the community and public that shall appear on the plat in illustration and/or in writing, as appropriate. The text shall specify the purpose and use of the improvements.

6.4 Private Roads

(A) An owner of any land may subdivide a tract of land utilizing private streets pursuant to this section provided the following requirements are satisfied:

(1) *Restrictive covenants:* Prior to the recording of any deed or plat subdividing the property, the owner shall submit to the City Planner a properly executed and duly recorded set of restrictive covenants covering the tract to be divided. These restrictive covenants shall be in a form acceptable to the city and shall provide, at a minimum, as follows:

(a) A privately maintained street shall be established providing access to a public street for each lot in the subdivision, said private street to be jointly owned by all property owners in the subdivision or association composed of all lot owners.

(b) Provision shall be made for maintenance of the private street by the property owners in the subdivision. All lot owners shall be jointly and severally financially required to maintain the street, said obligation to be enforceable by the filing of a lien against the property of a defaulting owner. The following statement in all capitals shall be conspicuously displayed in the restrictive covenants: "THE PRIVATE STREET(S) PROVIDING ACCESS TO LOTS IN THIS SUBDIVISION IS NEITHER MAINTAINED BY THE CITY OF GOOSE CREEK OR OTHER GOVERNMENTAL AGENCY NOR IS IT LIKELY TO BE SO MAINTAINED IN THE FUTURE. OWNERS OF LOTS IN THIS SUBDIVISION ARE FINANCIALLY OBLIGATED TO MAINTAIN THE STREET(S) FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE SUBDIVISION."

(c) The final plat shall refer to the restrictive covenants required by the subdivision regulations.

(d) The restrictive covenants shall provide for road amendments or modifications only with the consent of all property owners in the subdivision. No amended restrictive covenants shall be valid without the signatures of all property owners in the subdivision.

(e) The restrictive covenants shall require that any deed conveying any interest in a lot in the subdivision shall conspicuously contain the following language with an appropriate space for a signature by the grantee(s) acknowledging the following:

"The real property described in this deed is subject to restrictive covenants recorded in Deed Book _____ at page _____. These restrictive covenants provide, among other things, notice that the subdivision street(s) are privately owned and provide an obligation for each lot owner to maintain, repair and/or replace the private street(s). These restrictive covenants are specifically acknowledged by the grantee(s). However, the failure to include such statement in any deed shall not in any way alter the obligations of all owners to maintain and keep in good repair all private road rights-of-way."

(f) Road Agreement. A road maintenance agreement must be approved before a "Preliminary Plat Approval" can be given to a project. If these provisions are incorporated into a master deed or other document containing covenants and restrictions for the subdivision, that document may be submitted in addition to a road agreement. City Planner shall require a public agency release, hold harmless-indemnification agreement, and road maintenance agreement.

(2) *Plat:* All plat(s) of property accessible by private roads shall contain the following language:

(a) All plat(s) of property accessible by private roads shall contain the following language as a note: "Access to this property is by private street. The lot owner(s) is totally responsible for maintenance and repair of the streets."

(b) All plat(s) of property accessible by private roads shall include a dedication statement signed by the property owner containing the following language: "BY RECORDING OF THIS PLAT, I HEREBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON TO ALL PURCHASERS AND SUCCESSORS IN THE INTEREST OF THIS PROPERTY, I HEREBY DEDICATE THE GENERAL UTILITY EASEMENTS SHOWN HEREON TO THOSE ENTITIES WHICH PROVIDE SAID UTILITIES. NOTHING IN THIS DEDICATION SHALL BE CONSTRUED TO IMPLY AN ACCEPTANCE BY THE MUNICIPALITY OF ANY ROADWAYS OR DRAINAGE FACILITY OR AS CREATING ANY DUTY BY THE MUNICIPALITY TO MAINTAIN ANY ROADWAY, RIGHT-OF-WAY OR DRAINAGE EASEMENT SHOWN HEREON" or other language as required by Berkeley County.

(3) *Street frontage:* The tract proposed to be divided must have frontage on a public road or street no less than fifty (50) feet.

(4) *Sign:* The owner(s) shall conspicuously place on the privately maintained street near the entrance to the exempt subdivision a sign stating, "Private Street".

(5) *Design standards:* Subdivisions with private streets are exempt from the minimum pavement width provisions. Private streets shall be constructed with pavement widths determined by the City Engineer, City Planner, and Fire Marshal, based upon the nature of the use of the street but in no event less than 20 feet. All other provisions, including minimum right-of-way requirements, shall fully apply. Private road subdivisions shall be subject to additional intersection standards.

6.5 Lots

(A) Lot Boundaries and Proportions.

(1) The developer shall propose parcel boundaries such that grand trees and significant groupings of protected trees, also known as a Grand Tree Stand, occur in required yards and do not need to be cleared for building sites.

(2) Corner lots shall be of sufficient size and shape to permit required building setback and orientation to both streets.

(3) Flag lots shall be discouraged.

(B) Lot Access and Orientation. The developer shall demonstrate access to all proposed parcels, either by frontage on a transportation or ingress/egress easement in compliance with one (1) of the following options.

(1) The lot shall abut a transportation right-of-way or ingress/egress easement with a street meeting or exceeding Goose Creek Land Development Standards.

(2) The lot facing a common area for pedestrian circulation shall abut a transportation right-of-way or ingress/egress easement with an alley meeting or exceeding Goose Creek Land Development Standards.

(3) The lot facing a common area for pedestrian circulation shall be included in a shared parking agreement with a pedestrian ingress/egress easement dedicated from the shared parking area to the lot.

(4) The lot shall be oriented directly toward the street insofar as practical. Side lot lines shall be perpendicular to straight streets or radial to curved streets insofar as practical.

(5) The lot shall directly address the street intended to serve it. No other property or structure shall partially or wholly intervene between the lot and the street serving the lot.

6.6 Blocks

(A) Block Conditions.

(1) For the purposes of this Ordinance, and determination of compliance therewith, blocks shall be any area defined by two (2) or more linear elements of vehicular circulation providing access to residential or non-residential units, lots, offices, storefronts etc., including roads, fire lanes, and other drives providing access to and within residential and non-residential communities, including townhouse

developments, apartment complexes, commercial and industrial parks, shopping centers, mobile home parks, and other similar land developments.

(2) Alleys, parking lot aisles, and other lanes intended for access to covered or uncovered parking stalls and not relied upon for access to residential or non-residential units, lots, offices, storefronts etc., shall not be considered part of the block perimeter.

(3) In the event that vehicular circulation does not constitute the entire perimeter of a block, the block shall be considered bounded by adjacent property boundaries and/or drainage ways, including wetlands, for the purpose of considering the size and scale of the block.

(B) Block Design, Orientation, and Scale.

(1) Blocks shall be oriented to complement natural topography, so as to minimize need for grading and clearing of natural resources such as trees.

(2) Blocks shall be oriented to complement natural stormwater drainage patterns and wetlands.

(3) Blocks shall be sized in proportion to the speed and volume of vehicular and pedestrian traffic expected within those rights-of-way or easements defining the block.

(4) Blocks shall be sized in proportion to existing and/or proposed land uses within the block and in proportion to the scale of structures sheltering such land uses.

(5) Dimensions for blocks may be specified in zoning districts to ensure the existing or intended scale of the district is achieved and enhanced.

6.7 Public Roads

(A) All public roads must meet the standards set by Berkeley County and South Carolina Department of Transportation, as amended.

(B) The City of Goose Creek accepts no roads for public maintenance. Meeting or achieving land development standards for roads in Goose Creek implies no acceptance of such roads for public maintenance. The developer seeking to dedicate roads to a public entity shall meet or exceed road standards required by that entity, which may differ from or conflict with Goose Creek standards.

(C) Street trees shall be required on all public roads. If a road is maintained or is proposed to be maintained by a government entity that prohibits street trees, roadside trees shall be required. One (1) street tree shall be installed per 40 feet of road, on average, measured at edge of pavement, on each side of the road, exclusive of intersections with other roads. On-center spacing between street trees shall be 30 to 50 feet.

(D) All plats of property accessible by public roads shall include a dedication statement signed by the property owner containing the following language: “BY RECORDING OF THIS PLAT, I HERBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON TO THE USE OF THE PUBLIC FOREVER AND I HEREBY DEDICATE THE GENERAL UTILITY EASEMENTS SHOWN HEREON TO THOSE ENTITIES WHICH PROVIDE SAID UTILITIES. NOTHING IN THIS DEDICATION SHALL BE CONSTRUED TO

IMPLY AN ACCEPTANCE BY THE MUNICIPALITY OF ANY ROADWAY OR DRAINAGE FACILITY OR AS CREATING ANY DUTY BY THE MUNICIPALITY TO MAINTAIN ANY ROADWAY, RIGHT-OF-WAY OR DRAINAGE EASEMENT SHOWN HEREON" or other language as required by Berkeley County.

6.8 Illumination of Vehicular and Pedestrian Facilities

(A) The developer shall propose, install, and maintain service on a system of illumination of all roads and adjacent sidewalks within a subdivision or land development. Illumination shall provide lighting for the safety of the traveling public without causing nuisances to adjoining land uses due to glare or intensity.

(B) Illumination of vehicular and pedestrian facilities in all proposed land developments shall be provided by fixtures appropriate to the facility and surrounding land uses in size, height, scale, and on-center spacing.

(C) An annotation in the notes section must be added to the plat: "Street lighting shall be provided and installed by developer. Maintenance shall be the responsibility of the developer, property owner, and/or the HOA/POA."

6.9 Stormwater Management

(A) The proposed land development shall meet or exceed the requirements of the Berkeley County Stormwater Drainage Ordinance, as amended, and the "Berkeley County Engineering, Construction, and Development Standards Manual." The approved plans and letter denoting approval from Berkeley County shall be submitted to the City Planner as part of an application for development.

6.10 Floodplain Management Standards

(A) The developer shall account for flood hazard areas that occur on the land proposed for development. It shall be the responsibility of the developer to locate boundaries of any floodplains delineated by the Federal Emergency Management Agency (FEMA) on the land and to indicate and label them in illustrations submitted during the land development review process.

(B) The proposed land development shall meet or exceed the standards of Goose Creek Flood Hazard Controls Ordinance.

6.11 Wetland Protection

(A) The developer shall survey land proposed for development and delineate wetlands where required by standards of S.C. Department of Environmental Services, Bureau of Coastal Management and/or U.S. Army Corps of Engineers. Delineated wetlands shall be indicated on the appropriate development plan submitted to the City of Goose Creek for review.

(B) The developer shall indicate all measures required by S.C. BCM and U.S. ACE to protect wetlands or mitigate impacts thereto on the same development plan.

6.12 Open Space Standards

(A) All plats of property including new open space shall include a dedication statement signed by the property owner containing the following language: "BY THE RECORDING OF THIS PLAT, I HEREBY DEDICATE ALL LANDS DEPICTED OR INTENDED AS OPEN SPACE TO REMAIN FREE OF DEVELOPMENT THAT WOULD VIOLATE ITS PURPOSE. ALL PROPERTY REFERRED TO AS A FORM OF COMMON COMMUNITY SPACE AND THE LIKE IS CONSIDERED OPEN SPACE. NOTHING IN THIS DEDICATION SHALL BE CONSTRUED TO IMPLY AN ACCEPTANCE BY THE CITY OF GOOSE CREEK OR BERKELEY COUNTY."

6.13 Utilities and Services

(A) Sewage Disposal. The developer shall demonstrate that each buildable lot within the proposed land development shall be provided direct access to sanitary sewerage along the road frontage of the parcel or have the capacity — including soils and environmental conditions — required for an on-site disposal system. The means of sewage disposal shall meet or exceed the standards of the South Carolina Department of Environmental Services and the sanitary sewer service provider, where applicable, from which service is desired.

(B) Sanitation. The developer shall demonstrate that each buildable lot within the proposed land development satisfies curb pick-up and/or community pick-up as referenced in the Design and Regulations Manual.

(C) Electrical Power. The developer shall demonstrate that each buildable lot within the proposed land development shall be provided access to electricity via written notice from the proposed provider that describes means of access and point of entry into the existing system. The means of electrical power provision shall meet or exceed the standards of the proposed service provider.

(D) Natural Gas, Telephone, Television, and Internet Access. The developer who proposes natural gas, telephone, television, and internet access via pipeline, wire, and cable, as applicable, shall meet or exceed the requirements of the service provider.

(E) Utility Lines. All utility lines proposed in a land development shall be located underground and parallel to roads, except as necessary to cross bridges, connect to existing above-ground lines, and connect structures served. The lines and related equipment shall be readily accessible to utility personnel. Utility lines shall be collected in easements or rights-of-way, to the extent practical, to use land more efficiently and to minimize disruption to and loss of natural vegetation. Major transmission lines and related equipment may be designed and constructed to meet the needs of the utility provider. The proposal shall not violate the objectives of this Ordinance.

(F) Utility Equipment Location. Equipment related to the transmission of the utility shall be located in discreet locations to the extent practical, such as lot corners. The

developer shall ensure that equipment is in no danger of inundation from stormwater and shall not locate equipment in or too near drainage facilities.

(G) Access to Potable Water. The developer shall demonstrate that each buildable lot within the proposed land development shall be provided access to potable water. The means of potable water provision shall meet or exceed the standards of the South Carolina Department of Environmental Services and the water service provider, where applicable, from which service is desired.

(H) Documentation. All approved utility plans and a letter or documentation denoting approval from the utility provider shall be submitted to the City Planner as part of the appropriate application for development.

6.14 Rights-of-Way and Easements

(A) General Standards.

(1) All public improvements shall be incorporated into an easement or right-of-way dedicated to perpetual public use and assigned to an entity responsible for its maintenance. This shall be noted on the final plat and any record drawing illustrating public improvements.

(2) Easements and rights-of-way shall be of such dimensions to incorporate the public improvements, including shoulders and banks, and to provide sufficient access for adequate maintenance of the improvements.

(3) All subdivisions of 50 lots or more or multi-family dwelling units of 200 or more shall be required to install a secondary public access road. For every additional 300 units above the thresholds stated above, an additional public access road shall be provided.

(B) Roads and Driveways.

(1) All improvements intended for the traveling public shall be incorporated into a transportation right-of-way dedicated to S.C. Department of Transportation, Berkeley County, or a property owners association, representative of all properties reliant upon the improvements for access, established for the purposes of owning and maintaining the improvements. Exceptions shall be as follows:

(a) Land intended for the expansion of a pre-existing road and right-of-way shall be reserved as an easement dedicated for that purpose. Land intended for the future extension of an existing or proposed road and right-of-way shall be reserved as an easement dedicated for that purpose. Once constructed, the improvements may be dedicated and incorporated into a transportation right-of-way.

(b) Two (2) neighboring lots with one (1) primary structure each may share a driveway within an ingress/egress easement. The easement shall be centered along the common lot line with a width equal to the width of the driveway and any provided sidewalks plus two (2) feet, minimum, on both sides.

(c) Internal circulation roads in attached-unit residential community shall be incorporated into easements dedicated for perpetual access to the traveling public, except where rights-of-way are provided. A property owners association representative of all properties reliant upon the improvements for access shall be charged with responsibility for maintenance of these internal circulation roads. The easements shall occur on land owned by the same.

(C) Water and Sewer.

(1) Water and sewer improvements shall be generally located in rights-of-way or easements adequate in width and condition to accommodate the improvements and allow for access for maintenance. Improvements proposed for dedication to public utilities shall meet or exceed the standards thereof.

(2) Easements for water and sewer improvements shall be centered along lot boundaries where practical. Such easements may be located in required yards.

(D) Other Utilities.

(1) Utilities not specified above, including but not limited to telephone, electricity, and television, shall be located in rights-of-way or easements adequate in width and condition to accommodate the improvements and allow for access for maintenance.

(2) Easements shall collocate where practical to minimize encroachment into natural resources.

Section Seven: Development Approval Procedures

7.1 Subdivision Approval Procedures

(A) Pre-Application Conference.

(1) Applicability. The developer is required to participate in a pre-application conference with the City Planner before applying to the City of Goose Creek for approval of a development. The developer should contact the City Planner to arrange an appointment to discuss a project proposal. The developer shall bring a concept plan of the proposed subdivision or development or PD Master Plan to facilitate the discussion. Such plans are intended for discussion and are neither binding to the City or applicant.

(B) Sketch Plan.

(1) Applicability. The sketch plan is a required step in the subdivision approval process. A developer proposing an exempt subdivision or site-specific development plan need not submit a preliminary plat.

(a) Sketch Plan is a generalized map prepared by the developer that shows the development concept. Its purpose is to serve as a basis for the development of a preliminary plat. This phase of the subdivision process precedes the preparation of the preliminary plat or plan. The developer of a subdivision shall submit a sketch plan to the City for review after completion of a pre-application conference.

(b) The sketch plan review is advisory only. Sketch plan review does not authorize the developer to commence in any land disturbance, improvements, or other land development activities. Sketch plan will not consider all aspects that may be factored in a full preliminary or final development review. The developer must resubmit after two (2) years if no further land development approval process steps are taken. A sketch plan is not a site-specific development plan.

(c) A completed application for sketch plan review should include a form available from the City Planner that indicates land ownership and representation, where applicable, and contact information for both. The Berkeley County parcel identification number(s) and the property address, where available, of the subject property should be specified on the application form.

(C) Preliminary Plat.

(1) Applicability. The preliminary plat is a required step in the subdivision approval process. A developer proposing an exempt subdivision or site-specific development plan need not submit a preliminary plat.

(2) Procedure.

(a) The developer shall submit a preliminary plat to the City Planner for review.

(b) Decision on preliminary land development plan.

(1) The City Planner shall approve, approve conditionally, or disapprove the preliminary plan.

(2) The City Planner may attach conditions of approval that uphold and promote the purposes of land development regulations, stated in this Ordinance. The City Planner shall have the authority to require changes to preliminary plans as conditions of approval in order to uphold and promote those purposes. Changes may relate to land development content, arrangement, and design. The Planning Commission may modify land development regulations as they apply to the preliminary plat under review provided those same purposes are upheld and promoted.

(3) The City Planner shall act on the preliminary plan within 60 days of the official submittal date. Failure to act within 60 days shall constitute automatic approval, and the developer shall be notified in writing. The 60 day time limit may be extended by mutual agreement between the developer and the City Planner.

(4) Approval or conditional approval of a preliminary plan authorizes the developer to begin engineering and construction drawings for community facilities needed for land development.

(3) Application Requirements. The following constitute a completed application for preliminary plat approval. An application form is available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for development. An application fee in the amount set by Goose Creek City Council.

(D) Land Disturbance Permit. The developer shall be eligible to apply for a land disturbance permit after gaining City Planner approval of a preliminary plat and meeting any attached conditions, including necessary approvals from other agencies as applicable. A developer proposing an exempt subdivision need not submit a land disturbance permit.

(1) Purpose.

(a) The land disturbance permit is the enforcement tool by which the City Planner can assure that a development is constructed in accordance with the plan approval or conditional approval and furthermore, that the land development will meet or exceed the design and improvements standards.

(b) The developer shall demonstrate upon application for a land disturbance permit achievement of federal, state, and local natural resource

protection standards during construction and the ability to meet natural resource protection standards during construction and post-construction.

(c) Receipt of a land disturbance permit authorizes the developer to clear and grade land, remove trees in accordance with Goose Creek tree protection standards of this Ordinance, and install community improvements.

(2) Procedure.

(a) The developer shall submit to the City Planner a completed application for a land disturbance permit.

(b) The City Planner shall have no more than thirty (30) days in which to review the completed application and either issue the land disturbance permit or submit to the developer in writing reasons for disapproval. The City Planner shall be authorized to inspect natural resource protection measures proposed as part of the land development, as applicable. The thirty-day time limit may be extended by mutual agreement between the developer and the City Planner.

(c) The developer shall post an approved land disturbance permit on the development site at a location easily visible and accessible from the adjacent transportation right-of-way until improvements specified in the application for the permit are installed, pass inspection of, and are, where applicable, successfully dedicated to the appropriate agency.

(3) Application Requirements. The following constitute a completed application for a land disturbance permit.

(a) An application for available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for development.

(b) An application fee in the amount set by Goose Creek City Council.

(c) An approved preliminary plat or conditionally approved preliminary plat that reflects adherence to all conditions of approval.

(d) Tree protection plans, per this Ordinance.

(e) Tree mitigation fees shall be paid in advance of permit issuance, unless otherwise determined by the City Planner.

(f) Any vegetation to be preserved for required and otherwise proposed buffering, undisturbed green space, or other purposes.

(g) Reviewed and approved engineering plans for necessary utilities (i.e. – sewage, potable water, electricity, street lighting, and stormwater drainage) proposed to serve the land development. The applicant shall be

responsible for submitting plans to appropriate agencies for review and approval. Approvals shall be verified by an official letter from the appropriate agency.

(h) Plans to control erosion and sedimentation, to protect water quality, and to protect endangered species, as approved by state and federal agencies with jurisdiction. Approval shall be verified by an official letter from the appropriate agency.

(i) Copies of any encroachment permits required by SC Department of Transportation, Berkeley County, US Army Corps of Engineers, and other county, state, or federal agencies with jurisdiction.

(E) Final Plat. The developer shall be eligible to apply for final plat approval after receipt of a land disturbance permit and completion of all public and/or common improvements indicated in the approved preliminary land development plan.

(1) Purpose.

(a) An approved final plat enables the developer to subdivide property into lots for transfer or to seek a building permit.

(b) The final plat shall conform in all respects to the approved preliminary plan, as amended to meet attached conditions and as amended by field changes.

(c) The City Planner approves a final plat only after the developer has satisfactorily completed all public and/or private community facilities, such as systems of infrastructure, sites for public buildings, and common open space.

(d) Final plat approval does not constitute acceptance of existing or proposed community facilities. The developer shall make arrangements for the maintenance of community facilities per this Ordinance.

(e) Final plat approval and recordation shall be a prerequisite for a building permit for any lot proposed in the land development.

(2) Procedure.

(a) The developer shall submit a final plat to the City Planner.

(b) The City Planner shall be authorized to inspect community facilities, natural resource protection measures, and landscaping proposed as part of the land development, as applicable. The City Planner shall then sign and date the approved final plat for recordation or submit in writing reasons for disapproval to the developer.

(c) The City Planner shall retain one (1) copy of the final plat for City of Goose Creek records. The developer shall be responsible for filing the final plat

with the Berkeley County Register of Deeds and returning one (1) copy of the stamped final plat to the City of Goose Creek City Planner.

(3) Application Requirements. The following constitute a completed application for final plat approval.

(a) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for land development.

(b) An application fee in the amount set by Goose Creek City Council.

(c) Any other information required by ordinance or considered pertinent by the applicant, the Planning Commission, the City Planner, or the City Engineer to the review of the final plat shall be submitted with or on the plat.

(4) Planning and Design. The land development information depicted on the final plat shall conform to the greatest extent possible with the design depicted on the approved preliminary plat and the associated plans, except that all conditions required for preliminary plat approval and land disturbance permit shall be reflected.

(5) Certification. The following certificates shall be lettered, printed, and/or stamped on the face of the final plat.

(a) **Surveyor or engineer certification of accuracy.** The signature, seal, and certification of a registered professional land surveyor or engineer to the effect that the final plat accurately reflects a survey made by him or her, that any changes from the description appearing in the last recorded transfer of land contained in the final plat are so indicated, that all monuments shown thereon actually exist or will be installed and their positions accurately shown.

(b) **Certification of dedication.** The signature of all property owners or their agents shall accompany statements of dedication by such owners acknowledging the establishment of any easements, rights-of-way, open space, or other dedication of land for public use and restricting such land by protective covenants.

7.2 Site-Specific Development Approval Procedures

(A) Pre-Application Conference.

(1) Applicability. The developer is required to participate in a pre-application conference with the City Planner before applying to the City of Goose Creek for approval of a development. The developer should contact the City Planner to arrange an appointment to discuss a project proposal. The developer shall bring a concept plan of the proposed subdivision or development or PD Master Plan to

facilitate the discussion. Such plans are intended for discussion and are neither binding to the City or applicant.

(B) Site-Specific Development Plan. The developer shall be eligible to apply for a site-specific development plan review after completion of a pre-application conference.

(1) Purpose and Applicability.

(a) An approved site plan enables the developer to apply for a land disturbance permit and/or building permits.

(b) The site plan shall conform in all respects to the requirements outlined in the City of Goose Creek Zoning Ordinance.

(c) The City Planner approves a site plan only after the developer has satisfied all comments related to the review.

(d) Site plan approval shall be a pre-requisite for a land disturbance permit and a building permit.

(2) Procedure.

(a) Site plan. The developer shall submit a site plan laying out proposed buildings and general infrastructure and site elements for review and comment by the City.

(b) The City Planner shall provide comments on the site plan in a timely manner. The City Planner shall have the authority to require changes to site plans as conditions of approval in order to uphold and promote those purposes. Changes may relate to land development content, arrangement, and design.

(3) Application Requirements. The following constitute a completed application for approval of a site-specific development plan.

(a) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address of the property proposed for land development, if available.

(b) An application fee in the amount set by Goose Creek City Council.

(c) Approvals from any applicable boards and commissions.

(4) Supplemental Data. Any other information required by ordinance or considered pertinent by the applicant, the Planning Commission, the City Planner, or the City Engineer to the review of the preliminary plat shall be submitted with or on the plan.

(C) Land Disturbance Permit. The developer shall be eligible to apply for a land disturbance permit after gaining City Planner approval of a site plan and meeting any attached conditions, including necessary approvals from other agencies as applicable.

(1) Purpose.

(a) The land disturbance permit is the enforcement tool by which the City Planner can assure that a development is constructed in accordance with the plan approval or conditional approval and furthermore, that the land development will meet or exceed the design and improvements standards.

(b) The developer shall demonstrate upon application for a land disturbance permit achievement of federal, state, and local natural resource protection standards during construction and the ability to meet natural resource protection standards during construction and post-construction.

(c) This step allows the developer to avoid the potential costs of significant changes to engineering drawings required by the City Planner during the review of the preliminary or site plan.

(d) Receipt of a land disturbance permit authorizes the developer to clear and grade land, remove trees in accordance with Goose Creek tree protection standards of this Ordinance, and install community improvements.

(2) Procedure.

(a) The developer shall submit to the City Planner a completed application for a land disturbance permit.

(b) The City Planner shall have no more than 30 days in which to review the completed application and either issue the land disturbance permit or submit to the developer in writing reasons for disapproval. The City Planner shall be authorized to inspect natural resource protection measures proposed as part of the land development, as applicable. The thirty-day time limit may be extended by mutual agreement between the developer and the City Planner.

(c) The developer shall post an approved land disturbance permit on the land development site at a location easily visible and accessible from the adjacent transportation right-of-way until improvements specified in the application for the permit are installed, pass inspection of, and are, where applicable, successfully dedicated to the appropriate agency.

(3) Application Requirements. The following constitute a completed application for a land disturbance permit.

(a) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for development.

(b) An application fee in the amount set by Goose Creek City Council.

(c) An approved site-specific development plan or conditionally approved site-specific development plan that reflects adherence to all conditions of approval.

(d) Tree protection plans, per this Ordinance.

(e) Tree mitigation fees shall be paid in advance of permit issuance, unless otherwise determined by the City Planner.

(f) Any vegetation to be preserved for required and otherwise proposed buffering, undisturbed green space, or other purposes.

(g) Reviewed and approved engineering plans for necessary utilities (i.e. – sewage, potable water, electricity, street lighting, and stormwater drainage) proposed to serve the land development. The applicant shall be responsible for submitting plans to appropriate agencies for review and approval. Approvals shall be verified by an official letter from the appropriate agency.

(h) Plans to control erosion and sedimentation, to protect water quality, and to protect endangered species, as approved by state and federal agencies with jurisdiction. Approval shall be verified by an official letter from the appropriate agency.

(i) Copies of any encroachment permits required by SC Department of Transportation, Berkeley County, US Army Corps of Engineers, and other county, state, or federal agencies with jurisdiction.

(D) Exempt Plat.

(1) Exempt Subdivision. Certain land developments shall be submitted to the City Planner for information only prior to recordation with Berkeley County. The City Planner shall stamp at least one (1) submitted plat as received and exempt so that the applicant may submit the plat to Berkeley County for recordation. The criteria for exempt subdivisions are as follows:

(a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to city standards (sometimes referred to as a boundary line adjustment).

(b) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

(c) The division of land into parcels of five (5) acres or more where no new street is involved.

Section Eight: Nonconformities and Enforcement

8.1 Nonconformities

(A) Intent. Within the districts established by this Ordinance, there exist lots of record, structures, uses of land and structures, and signs, and other site features that were lawfully established before this Ordinance was adopted or amended, that now do not conform to the terms and requirements of this Ordinance. The purpose and intent of this Section is to regulate and limit the continued existence of those lots of record, structures, uses of land and structures, signs, and other site features that do not conform to the provisions of this Ordinance or any amendments thereto. It is the intent of this Section to permit these nonconformities to continue until they are removed, but not to encourage their survival except under the limited circumstances established in this Section. It is the further intent of this article that nonconformities shall not be enlarged upon, expanded or extended, reconstructed to continue nonconformity after major damage, or used as grounds for adding other structures or uses prohibited elsewhere in the same district. The provisions of this Section are designed to curtail substantial investment in nonconformities to preserve the integrity of this Ordinance.

(B) Authority to Continue. Nonconformities are allowed to continue in accordance with the requirements of this Article, and Sec. 6-29-730, S.C. Code, 1976, as amended.

(C) Determination of Nonconformity Status. In all cases, the burden of establishing that a nonconformity lawfully exists shall be on the owner of the land on which the purported nonconformity is located. The Zoning Administrator may issue a Certificate of Zoning Compliance upon acceptance of reasonable proof that the nonconformity was lawfully in existence at the time of the effective date of this Ordinance and has not been vacant, abandoned, or discontinued for 12 consecutive months.

(D) Minor Repairs and Normal Maintenance. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part of a building declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Minor repairs and normal maintenance that are required to keep nonconforming uses, structures, lots of record, signs, and other site features in a safe condition are permitted, provided the minor repair or maintenance does not extend, expand, or enlarge the nonconforming use, structure, lot of record, or sign. For the purposes of this Section, "minor repair or normal maintenance" shall mean:

(1) Repairs that are necessary to maintain a nonconforming use, structure, lot of record, sign, or other site feature in a safe condition;

(2) Repairs that are necessary to correct any damage or deterioration to the structural soundness or interior appearance of a structure without altering the structure;

(3) Maintenance of land areas to protect against health hazards and promote the safety of surrounding uses; and

(4) Repairs and maintenance of nonconforming signs, such as repainting and electrical repairs, whose costs do not exceed 25 percent of the replacement cost of the sign.

(5) Ordinary repairs, including repair or replacement of nonbearing walls, fixtures, wiring, and plumbing, may be done on any building devoted in whole or in part to a nonconforming use, if:

(a) The cubic content of the building as it existed at the time the nonconformity was created by this Ordinance, or any amendment thereto, is not increased; and

(b) A declaration of nonconforming use is filed with the Zoning Administrator prior to any work beginning.

(E) Change of Tenancy or Ownership. Changes of tenancy, ownership, or management of an existing nonconformity are permitted, and in such cases the nonconforming situation shall continue to be subject to the requirements of this Section.

(F) Nonconforming Uses.

(1) Nonconforming uses are declared generally incompatible with the permitted uses in the district in which they are located and with the provisions of this Ordinance. Nonconforming uses shall be subject to the standards in this Section.

(2) A nonconforming use shall not be reestablished after vacancy, abandonment, or discontinuance for any period of 12 consecutive months, not including time during which the structure where the use was located is reconstructed, provided, the timing requirements for re-establishment of a nonconforming structure after demolition, damage, or destruction, shall apply.

(3) Where a nonconforming use has been replaced by a conforming use, the nonconforming use may not be reestablished at any time.

(4) A nonconforming use shall not be enlarged, expanded in area occupied, or intensified, except a nonconforming use may be enlarged into any area of the same structure in which it is located which was manifestly arranged or designed for such use prior to the date the use became a nonconformity, provided the use shall not be extended to occupy land outside the structure.

(5) A structure devoted to a nonconforming use shall not be enlarged, extended, constructed, moved, or structurally altered except to change the use of the structure to a use permitted in the zoning district in which the structure is located.

(6) A Temporary Use Permit may be issued by the Zoning Administrator for an appropriate period of time not to exceed 12-month increments for nonconforming buildings, structures, or uses incidental to building construction or land development or deemed to be generally beneficial,

provided that the owner of that temporary nonconforming use agrees to remove the temporary nonconforming use upon expiration of the Temporary Use Permit.

(G) Nonconforming Structures.

(1) A nonconforming structure shall not be enlarged or expanded in a way that increases the degree of nonconformity. (For example, a structure that has a five-foot side setback where this Ordinance requires a ten-foot side setback cannot be enlarged so as to further encroach into the side setback.) Expansion of the structure in a way that complies with applicable dimensional standards or that decreases the degree of nonconformity is permitted.

(2) A nonconforming structure shall not be reestablished as a nonconforming structure after demolition, damage, or destruction, except in accordance with subsection (3) below.

(3) A nonconforming structure, with the exception of signage, that sustains damage exceeding 75 percent of the replacement cost of the structure at the time of damage shall not be rebuilt, altered, or repaired.

(4) A nonconforming structure, with the exception of signage, that sustains damage 75 percent or less of the replacement cost of the structure at the time of damage may be rebuilt, altered, or repaired, provided the rebuilding, alteration, or repair shall:

(a) Begin within six (6) months from the time of damage; and

(b) Be completed within 12 months after the issuance of a building permit.

(5) The use of a structure which is nonconforming due to its failure to comply with intensity and dimensional standards (e.g., height, setbacks, lot area, etc.) may be changed to a use that is permitted in the district in which the structure is located, if no further encroachment is made as defined by the intensity and dimensional standards relative to the particular zoning district (e.g., into required yards).

(H) Nonconforming Lots of Record.

(1) In any zoning district in which single-family detached dwellings are permitted, notwithstanding limitations imposed by other provisions of this Article, a single-family detached dwelling and customary accessory buildings may be erected on any single lot of record. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the zoning district, provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.

(2) Conforming lots of record that are subject to governmental acquisition of part of the lot for a public purpose that results in the lot becoming nonconforming as to the dimensional standards of the zoning district in which it is located shall be determined conforming and must comply with all other standards and requirements of this Ordinance.

(l) Nonconforming Signs.

(1) Any legally established nonconforming sign within the City of Goose Creek may continue to exist, including the performance of normal and routine maintenance, so long as such sign remains otherwise lawful, provided a sign shall not be:

(a) Changed to or replaced with another nonconforming sign (this provision shall not prohibit a change in copy or graphics on the sign face of the sign);

(b) Structurally altered so as to extend useful life;

(c) Expanded;

(d) Relocated, except in compliance with this Section; or

(e) Reestablished after damage or destruction of more than 50 percent of the replacement value of the same type of sign at the time of such damage or destruction. Any damage to a nonconforming sign that is not repaired constitutes damage or destruction for purposes of this Subsection, and that damage shall be cumulative.

(2) Any sign lawfully existing at the time of the enactment of this Ordinance or any amendment thereto but which is not permitted either by type of sign, location, or district or which fails to meet the standards or regulations shall be classified as either nonconforming or noncomplying as per definitions.

(3) Freestanding signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become nonconforming signs and shall be discontinued, replaced, or brought into conformance by January 1st, 2033. No exceptions or variances shall be permitted on the removal of nonconforming signs.

(4) All signs, whether nonconforming or conforming signs shall be removed if they present an unreasonable risk of danger to the public based on the determination of the Building Official based on appropriate sections of the adopted building code or upon determination by the Zoning Administrator, the Goose Creek Municipal Code, and/or various provisions of this Ordinance deem such signs as being dilapidated and constituting a definite health hazard to the public.

(5) In addition, all Off-Premise Signs are prohibited except those authorized as being exempt. Existing Advertising Signs currently in the City limits or those that are annexed into the City shall be allowed to continue as nonconforming signs. These nonconforming signs shall not be allowed to be enlarged, extended or converted to electronic billboards. Change of copy and regular/ordinary maintenance shall be allowed.

(6) Alterations to Nonconforming and Noncomplying Signs. A nonconforming or noncomplying sign may be altered subject to the following conditions:

(a) The nonconforming or noncomplying sign structure shall not increase the degree of nonconforming or noncompliant portions of the sign, nor shall they be increased to exceed the height and area limits of the site on which it is located.

(b) Alterations are limited to the changing of a copy of a permitted changeable copy sign, or the painting or refinishing of the surface of a sign face or sign structure so as to maintain an adequate appearance. The alterations of advertising signs which are nonconforming or noncomplying must adhere to all the requirements cited in this Ordinance. In all cases, the business owner shall obtain a sign permit in accordance with the terms of this Ordinance.

(c) A nonconforming or noncomplying sign structure shall not be re-erected, relocated or replaced unless it is brought into compliance with the requirements of this Ordinance including all applicable yard, setback, size, and height requirements as stipulated within this Ordinance.

(d) Obsolete sign copy shall be removed by covering the sign face, replacing the sign face with a blank sign face, or replacing the obsolete sign copy with sign copy that is not obsolete. Failure to comply with such notice within the time specified in such notice shall be considered a violation of the terms of this section.

(e) All nonconforming signs shall be removed upon a business ceasing operations for more than 12 consecutive months. Nonconforming sign structures shall be removed by the owner of the property, his agent, or the person having the beneficial use of the building or structure upon which such sign or sign structure is erected within thirty days after written notification from the Zoning Administrator or his/her representative.

(f) All nonconforming signs shall be removed when the current business undergoes a renovation in which the renovation costs is greater than 50 percent of the sign replacement cost.

8.2 Enforcement

(A) Authority. The Planning Department, Building Department, Code Enforcement Officers, and Staff of each department are hereby designated to enforce the terms and provisions of this Ordinance and Sec. 6-29-950, Code of Laws of South Carolina (1976), as amended.

(B) Compliance. Compliance with all the procedures, standards, and other provisions of this Ordinance is required. All persons shall obtain all development approvals and permits required by this Ordinance prior to development. Any failure to comply with this Ordinance, or the terms or conditions of any development approval, permit, or other authorization granted in accordance with this Ordinance shall constitute a violation of this Ordinance as provided in this article. Upon presentation of proper credentials, Staff, as applicable, may enter upon land or inspect any structure to ensure compliance with the provisions of this Ordinance. These inspections shall be carried out during normal business hours unless Staff, as applicable, determines there is a unique circumstance necessitating inspections at another time.

(C) Responsibility for Violations. The owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person who commits, participates in, assists, directs, creates, or maintains any situation that is in violation of the terms and provisions of this Ordinance, may be held responsible for the violation, suffer the penalties, and be subject to the remedies herein provided.

(D) Specific Violations. It shall be a violation of this Ordinance to undertake any development contrary to the provisions of this Ordinance, including but not limited to any of the following:

- **(1)** Develop land or a structure without first obtaining all appropriate development approvals and permits.
- **(2)** Develop land or a structure without complying with the terms or conditions of all development approvals and permits required to engage in development.
- **(3)** Occupy or use land or a structure without first obtaining all appropriate development approvals and permits.
- **(4)** Occupy or use land or a structure in violation of the terms or conditions of the development approvals or permits.
- **(5)** Subdivide land without first obtaining the appropriate development approvals or permits required to engage in subdivision.
- **(6)** Subdivide land without complying with the terms or conditions of the development approvals or permits required to engage in development.
- **(7)** Transfer title to any newly created lots or parts of a development unless the development plan or subdivision has received all development approvals or permits required under this Ordinance and an approved plan or plat, if required, has been filed in the appropriate County office.
- **(8)** Submit for recording with Berkeley County any subdivision plat or other development plan that has not been approved in accordance with the requirements of this Ordinance.

(9) Excavate, grade, cut, clear, or undertake any land disturbing activity without first obtaining the appropriate development approvals and permits, and complying with their terms and conditions.

(10) Remove existing trees or other landscaping from a site or parcel of land without first obtaining the appropriate development approvals and permits, and complying with their terms and conditions, or fail to maintain trees or other landscaping as required by this Ordinance.

(11) Install, create, erect, alter, or maintain any sign without first obtaining the appropriate development approvals and permits, and complying with their terms and conditions.

(12) Fail to remove any sign installed, created, erected, or maintained in violation of this Ordinance, or for which the permit has lapsed.

(13) Create, expand, replace, or change any nonconformity except in compliance with this Ordinance.

(14) Reduce or diminish the requirements for development, design, or dimensional standards below the minimum required by this Ordinance.

(15) Increase the intensity or density of development, except in accordance with the standards of this Ordinance.

(16) Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Ordinance.

(17) Through any act or omission, violate any term, condition of approval, or qualification placed by a decision-making body or person on a development approval or permit.

(18) Violate any lawful order issued by any decision-making body or person in accordance with this Ordinance.

(19) Obtain a development approval or permit through false or misleading information.

(20) Obscure or obstruct a notice required to be posted or otherwise given in accordance with this Ordinance.

(E) Remedies and Penalties.

(1) Staff may issue a notice of zoning violation to a person (i.e., any owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person) who commits a zoning violation or allows a zoning violation to be committed on real estate in which the person has a possessory interest. The notice of zoning violation may be served by: personal service; certified mail, return receipt requested; registered mail; or, by posting such notice in a conspicuous place on the lot where the violation occurs, and shall serve as notice that a zoning violation has been committed;

(2) The remedies provided for violations of this Ordinance, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

(3) Each day of continued violation of this Ordinance shall be considered a separate violation for purposes of computing cumulative civil or criminal penalties.

(4) On behalf of the City, and in accordance with this section, responsibility for enforcement, Staff may take any one or more of the following actions as a remedy for any violation of this Ordinance:

- **(a)** Withhold any pending or subsequent development approvals or permits on subject properties associated with the violations, required by this Ordinance;
- **(b)** Issue stop work orders against any work undertaken by any person not having a proper development approval or permit required by this Ordinance;
- **(c)** Issue stop work orders against any actions taken in violation of this Ordinance;
- **(d)** Revoke a development approval or permit if:
  - **(1)** There is a failure to comply with the approved development approval, permit, plans, specifications, or terms or conditions required under the development approval or permit;
  - **(2)** The development approval or permit was procured by false representation; or
  - **(3)** The development approval or permit was issued in error;
- **(e)** Bring an action for an injunction (or, in appropriate cases, for mandamus) to prevent the violation or to prevent the occupancy or use of any site or structure involved in the violation;
- **(f)** Bring an action for injunction or mandamus to abate a violation;
- **(g)** Prosecute the violation as a misdemeanor; or
- **(h)** Take any other action at law or in equity to prevent or remedy any violation, or otherwise enforce the provisions of this Ordinance.
- **(i)** Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to Sec. 10.99 of the Code of Ordinances.
- **(j)** Nothing contained in this subsection shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Section Nine: Definitions & Measurements

9.1 Rules of Interpretation

(A) Definitions. Whenever a defined word appears in this Ordinance, its meaning is as set forth in this article. Words not defined in this Ordinance are interpreted in accord with their usual dictionary meaning and customary usage.

(B) Current Versions and Citations. All references to other regulations or manuals in this Ordinance refer to the most current version and citation for those regulations or manuals, unless expressly indicated otherwise. When the referenced regulations or documents have been repealed and not replaced by other regulations or manuals, this Ordinance's requirements for compliance are no longer in effect.

(C) Text and Graphics. Illustrations, diagrams, and flowcharts are included in this Ordinance to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustration, diagram, or flowchart, the text controls.

(D) Fractions. Except as otherwise noted, any fraction greater than or equal to 0.5 will be rounded up to the nearest whole number. Any fraction less than 0.5 will be rounded down to the nearest whole number.

(E) Interpretation of Terms of Words. The language of this Ordinance shall be interpreted in accordance with the following regulations.

- **(1)** The word "person" includes a firm, association, organization, partnership, trust, limited liability company, corporation, or other legal entity, as well as an individual.
- **(2)** The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, in each case, if the context so requires.
- **(3)** The words "shall," "must," "should" and "will" are mandatory, establishing an obligation or duty to comply with the particular provision. The word "may" is permissive.
- **(4)** The words "used" or "occupied" include the words "intended," "designed," "constructed," "altered," or "arranged" to be used or occupied.
- **(5)** The word "lot" includes the words "plot," "tract," or "parcel."
- **(6)** The terms "standards," "regulations," and "requirements" are used to mandate a specific course of action or built outcome.
- **(7)** Section headings are provided for ease of use and organization, and shall not be interpreted as regulatory.

(F) Conjunctions. Where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either … or," the conjunction shall be interpreted as follows:

- **(1)** "And" indicates that all the connected items, conditions, provisions, or events shall apply.

(2) "Or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.

(3) "Either … or" indicates that all the connected items, conditions, provisions, or events shall apply singly but not in combination.

9.2 Definitions

(A) Intent. Words and phrases used in this Article shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in the Zoning Ordinance of the City of Goose Creek, shall be given the meanings set forth in such Ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Article.

– A –

Abandoned. A condition that exists after a voluntary act or failure to act by the owner of a nonconforming use which evidences that the owner neither claims nor retains the right to exercise the nonconforming use.

Access. The manner in which ingress and egress is provided to a lot from a public right-of-way along said lot.

Accessory Dwelling Unit. An ancillary or secondary living unit to a single-family detached dwelling use that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit. For purposes of determining maximum density, an accessory dwelling unit shall not count as a dwelling unit.

Accessory (Structure, Building, or Use). A subordinate structure, building, or use that is customarily associated with, and is appropriately and clearly incidental and subordinate in use, size, area, impact, and height to the primary structure, building, or use, and is located on the same lot as the primary building, structure, or use.

Adjacent. A parcel of land that shares all or part of a common lot line or boundary with another parcel of land, or a parcel of land that would abut another parcel of land, but for the fact a street, waterway or right-of-way divides the parcels.

Administrative Adjustment. Minor modifications of selected zoning standards authorized by the Zoning Administrator.

Alley. A right-of-way, generally narrower than the primary street right-of-way, used as a secondary means of public access to a lot otherwise abutting upon a street and not intended for traffic other than public services and circulation to and from said lot.

Alteration, Sign. A change in the size or shape of an existing sign. Copying or color change of an existing sign is not an alteration. Changing or replacing a sign face or panel is not an alteration.

Animated Sign. Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Area Of Sign. The area within a continuous perimeter and closing the limits of writing, representation, emblem, figure, or character together with any frame, other material, open space, or color forming an integral part of the display or use to differentiate each writing, representation, emblem, figure, or character from the background against which it is placed. The display of street address on a ground sign, wall, or window shall not be computed in determining the maximum allowable area of ground sign, wall, or window sign.

As-Built Drawings. The approved construction plans properly revised to graphically depict the location, size and other pertinent details of the actual installation of improvements (water, sewer, storm drainage, and streets).

Authorized Agent. Any party duly authorized in writing by the Owner of a subject lot to act on the Owner's behalf with respect to any development petition, including, but not limited to, a petition for zone map change; platting of a subdivision; development plan approval; variance; or vacation of land in a plat.

Awning/Canopy Sign. An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached to, or painted on an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area, or made an integral part of an awning. For purposes of this code section, “awning signs” shall be considered “wall signs.”

– B –

Bandit Sign. A commercial sign posted on a utility pole, street sign, or other street furniture; or any other sign placed within a public right-of-way or public property. A bandit sign generally has less than six (6) square feet or less of advertising area and are made of vinyl, paper, cloth, or fabric, Polyboard™, corrugated plastic, poster board, plastic core, cardboard, wood, or plywood, including signs with wood or wire framing post or stakes. All bandit signs are prohibited and illegal.

Banner. A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners. For purposes of this Chapter, a “banner” is a “sign.”

Bench Sign. A sign with or without characters, letters, illustrations, or ornamentation applied to a bench for the purpose of advertising.

Berm. A man-made landscape feature generally consisting of a linear, raised mound of soil covered with grass lawn or other permanent, living ground cover. Temporary soil stockpiles and retaining walls are not berms.

Block. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, water bodies, or municipal boundary lines.

Block Face. The frontage of a block, which may contain one or more lots, along one side of a public or private street between intersections.

Board of Zoning Appeals. The Goose Creek Board of Zoning Appeals.

Bollard Lamp. An outdoor luminaire that is a short (usually about two (2) to four (4) feet in height) post with the light source located at or near the top.

Buffer. A landscape planting, fence, and/or other component used to provide screening of incompatible uses.

Buildable Area. The area of a lot remaining after the minimum setbacks, lot size, and other requirements of this Ordinance have been met and in which development may occur subject to compliance with all applicable development standards.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

Building Coverage. The total ground area within the lot or project covered by the primary structure plus any accessory structures with a roof.

Building Line. A line parallel to any front, corner, side, or rear lot line which passes through the nearest point of any building.

Building Marker. Any sign cut into a masonry surface or made of bronze or other permanent material.

Building Official. The individual having the responsibility for the interpretation, administration, and enforcement of Building Codes and their related programs.

Building Permit. A permit issued by the City of Goose Creek Building Official in compliance with the terms and provisions of this Ordinance and the Building Code.

Building Sign. A sign attached to a building, which may include wall signs, awning signs, and projecting signs.

– C –

Caliper. The standard for trunk diameter measurements of nursery stock.

Can Sign. A sign in which the sign copy is placed on a transparent face, which is attached to an enclosed box or can, usually made of metal, with an internal light source.

Certificate of Occupancy. A certificate issued by the Building/Planning Department authorizing an occupancy under the local building codes and ordinances of the City of Goose Creek, South Carolina.

Changeable Copy. Any sign that incorporates changing lettering or images to form a sign message or messages, whether such changes are accomplished electronically or manually. A sign panel is not considered a changeable copy.

Channel Letter, Sign.

(A) *Open faced*. A dimensional letter with a back and sides but no face at the front of the letter. Open Faced Channel Letters may be non-lit, externally illuminated, or illuminated by a light source contained inside the open channel of the letter itself, such as a neon tube.

(B) *Internally illuminated*. A dimensional letter with a back, sides and a translucent front face capable of transmitting light from an internal light source within the letter.

(C) *Reverse*. A dimensional letter with a face and sides but no back, opposite to an Open-Faced Channel Letter. A Reverse Channel Letter has an open channel facing the wall or building to which it is affixed. A Reverse Channel Letter may contain a source of illumination designed to project lighting against the surface behind the letter, commonly referred to as a Backlit Channel Letter; also referenced as a halo or silhouette lighted channel letter. The face of a Reverse Channel Letter does not illuminate.

Characterized By. For purposes of Sexually-Oriented Businesses, describing the essential character or quality of an item. No business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

Circuit Court. The Circuit Court of Berkeley County, South Carolina.

City. The City of Goose Creek, South Carolina.

City Administrator. The City Administrator of the City of Goose Creek, South Carolina.

City Engineer. The City Engineer of the City of Goose Creek, South Carolina.

City Council. The City Council of the City of Goose Creek, South Carolina.

Clear Cutting. The mass removal of trees from a property, whether by cutting or other means.

Commercial Message. Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

Commercial Timber Operation. Activities occurring on tracts of land five acres or more in size devoted to the production of marketable forest products through generally accepted silvicultural practices including, but not limited to, harvesting, site preparation, and regeneration.

Communication Tower. A communication tower is a guy-wire communication tower, a lattice communication tower, or a monopole communication tower only.

Comprehensive Plan. The Comprehensive Plan adopted by the City of Goose Creek, South Carolina.

Condominium. A building, group of buildings, or portion thereof, in which units are owned individually, and the structure, common areas, or facilities are owned by all the owners on a proportional, undivided basis.

Conforming. The state of being in compliance with the permitted use or development standards regulations of the district to which the real estate is zoned pursuant to this Ordinance.

Conforming Sign. A sign that is legally installed in conformance with all prevailing jurisdictional laws and ordinances.

Construction. The erection of any building or structure or any preparations (including land-disturbing activities) for the same.

Construction plan. The maps of drawings accompanying a subdivision plat or plan and showing specific location and design of improvements to be installed in the subdivision in accordance with the requirements of this chapter as a condition of the approval of the plat or plan.

Contiguous. Abutting directly or immediately adjacent to a boundary or separated only by a right-of way or water body.

Copy. Any combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message.

County. Berkeley County, South Carolina.

– D –

Development Plan. Specific plans for a lot(s) filed in connection with a development review procedure. Development plans may include, but are not limited to, a site plan, landscape plan, building elevations, signs, and other plans which are reasonably necessary to depict or describe certain information and data as required by this Ordinance.

Diameter-at-breast-height (DBH). The diameter of a tree measured in inches 54 inches above the ground. For trees with multi-stemmed trunks, all stems shall be measured at 54 inches and added together to determine the total diameter.

Directional Sign. Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

Directory Sign. A single sign for multiple businesses, offices, professionals, industries, or other entities located within a planned center. Such signs are not usually visible from the public street right-of-way of a development which provides initial access to the property, but rather are located within the development, along a driveway, accessway, or parking aisle.

Display Surface Area. That area of a sign including the area of the smallest plane figure which can be made to include all of the idea, advertisement, identification, or information intended to be conveyed by a Sign, including any trim or other material or color forming an integral part of the display or used to differentiate the Sign from the background against

which it is placed, but excluding uprights or other structural members which are not a part of the display.

Display Time. The amount of time a message and/or graphic is displayed on an Electronic Message Sign.

District. Any zoning district or overlay district applicable to a section of the territory within the jurisdiction of this Ordinance.

District, Zoning. A section of the territory within the jurisdiction of this Ordinance for which uniform regulations over the erection, construction, reconstruction, alteration, repair, or use of buildings, structures or land, including, but not limited to permitted uses, height, area, size, and intensity of use of buildings, structures, land, and open spaces about buildings or structures, are established by this Ordinance.

District, Overlay. A section of the territory within the jurisdiction of this Ordinance in which additional requirements are imposed on certain properties within one or more underlying zoning district.

Double Face Sign. Two (2) sign faces which are identical in size and message and either are displayed back-to-back or within 30-degree interior angle.

Driveway. A vehicular lane within a lot, or shared between two or more lots, typically providing access from a street or alley to a garage or other parking area.

Dwelling. Any building or part of building designed, occupied or intended for human occupancy, not to include a hotel or motel, lodging house, hospital or other accommodation used more or less for transient occupancy.

Dwelling Unit. Any dwelling designed, occupied or intended for occupancy by a single-family unit. A structure or part of a structure shall be considered a dwelling unit where any one of the following elements are proposed or present:

(1) A full bath, except where (a) the full bath is the primary use of the structure, and (b) no other area of the structure may be readily inhabited (i.e. a stand-alone bath house);

(2) A range, oven, stove, broiler, or other like cooking appliance generally designed for permanent installation;

(3) A separate power meter, except where the Building Official has determined that power could not be safely supplied from an existing meter; or

(4) A separate water meter or connection to a well.

– E –

Easement. A grant by a property owner to an individual or other legal entity, the general public, and/or public utility or utilities for the use of land for a specifically stated purpose or purposes. The ownership of the land underlying the easement area is retained by the property owner.

Electric Vehicle Charging Station. A vehicle parking space served by an electrical component assembly or cluster of components assemblies (battery charging station) designed and intended to transfer electric energy by conductive or inductive means from the electric grid or other off-board electrical source to a battery or other energy storage device within a vehicle that operates, partially or exclusively, on electric energy.

Electronic Message Board (EMB's). A permanent sign consisting of text, symbolic imagery, or both, that uses an electronic display created through use of a pattern of lights in a dot matrix allowing the sign phase to intermittently change the image without having to physically or mechanically replace the sign face, including an LED (light emitting diode) sign.

Electronic Message Center (EMC's). An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMC. EMCs typically use light emitting diodes (LEDs) as a lighting source. (See also following terms principally associated with Electronic Message Centers: Display Time, Dissolve, Dynamic Frame Effect, Fade, Frame, Frame Effect, Scroll, Transition, Travel)

Escort. For purposes of Sexually-Oriented Businesses, a person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Establish or Establishment. For purposes of Sexually-Oriented Businesses, any of the following:

(1) The opening or commencement of any sexually oriented business as a new business;

(2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;

(3) The addition of any sexually oriented business to any other existing sexually oriented business; or

(4) The relocation of any sexually oriented business.

Exterior Sign. Any sign placed outside a building.

Externally Illuminated Sign. See Illuminated Sign.

– F –

Family. An individual; two or more persons related by blood, marriage, or adoption; or a group of three or fewer individuals not related by blood, marriage, or adoption, living together in a dwelling unit as a single housekeeping unit.

Fascia Sign. A sign attached to, marked or inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall and includes a painted wall sign and an awning sign.

Feather Sign. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a single pole or staff for support and designed to move in the wind. Also identified as vertical banners.

Festoon. A string of ribbons, tinsel, flags, pennants, or pinwheel.

Field, Sign. Generally, the background upon which the sign copy is applied.

Final Plat. The final map of all or a portion of a subdivision that is presented for final approval.

Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other entity or organization. For purposes of this Chapter, except as otherwise provided herein, a "flag" is a "sign."

Flashing Sign. A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

Floor Area, Gross. The total number of square feet of floor space within the exterior walls of a building.

Floor Space. For purposes of Sexually-Oriented Businesses, the floor area inside an establishment that is visible or accessible to patrons for any reason, excluding restrooms.

Freestanding Sign. Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A permanently affixed sign which is wholly independent of a building for support with a base of a width not less than the width of the sign face. The base of the sign face shall be flush with the supporting base, and the supporting base shall be flush with the ground and extend the full width of the sign. Except for subdivision entrance signs, freestanding signs may not be constructed before the principal building is on a lot.

Frontage, Building. The width in linear feet of the front exterior wall of a particular building in which an establishment is located to which the plot or building fronts the main road.

Frontage, Road. The distance in linear feet of each lot where it abuts the right-of-way of any public street.

Full Cut-Off, Light. A light fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane of the fixture.

– G –

Grand Tree. Trees at least 24 inches DBH, excluding sweet gum and invasive species.

Grand Tree Stand. A contiguous grouping of trees that has been determined to be of value by the zoning administrator. Determination is based on any of the following criteria: maturity (even-aged); purity of species composition; rare or unusual nature of the species; historical significance; or exceptional aesthetic quality.

Group Development. Any land development subject to a site plan that includes two (2) or more principle buildings (without a sub-division of land) for the purpose of development (whether immediate or in the future) to be occupied by separate families, firms, businesses, or other enterprises.

– H –

Height of Sign. The vertical distance measured from natural grade at the base of the sign to the highest point of such sign.

Holiday Decorations. Displays erected on a seasonal basis in observance of religious, national, or state holidays, which are not intended to be permanent, and which shall be removed 30 days after observance.

Home Occupation. An occupation, profession or trade customarily and commonly carried out by an occupant in a dwelling unit as a secondary use which is clearly incidental and subordinate to the residential character of the dwelling unit.

– I –

Inflatable Sign. Any sign that is or can be filled with air or gas, including but not limited to inflatable tubes and air powered dancing figurines.

Influential Interest. For purposes of Sexually-Oriented Businesses, any of the following:

(1) The actual power to operate the sexually oriented business or control the operation, management or policies of the sexually oriented business or legal entity which operates the sexually oriented business,

(2) Ownership of a financial interest of 30 percent or more of a business or of any class of voting securities of a business, or

(3) Holding an office (e.g., president, vice president, secretary, treasurer, managing member, managing director, etc.) in a legal entity which operates the sexually oriented business.

Illuminated sign. A sign characterized by the use of artificial light, either projecting through its surface(s) [Internally or trans-illuminated]; or reflecting off its surface(s) [Externally illuminated].

Internally Illuminated Sign. Illuminated sign.

Improvements. Streets, accesses, utilities, drainage facilities, parking areas, and other physical infrastructural or facilities improvements, including early site preparations, necessary to support an intended development or subdivision.

Irrigation System. A permanent underground piping and distribution system designed using industry standard methods to provide efficient water coverage over a landscaped area.

– J –

– K –

– L –

Land development. A change in land characteristics through redevelopment, construction, and/or subdivision into parcels.

Landscaping Plan. A plan, which may be associated with a subdivision, site plan, parking plan, or other plan or application for a development approval or permit, that shows the placement of trees, shrubs, ground cover, and affiliated structures and improvements on a site, and includes specifications, species, quantities, and installation.

Legally Established. The condition of being in compliance with all applicable development regulations at the time of recording, construction or erection of a lot, building, structure, use, or sign.

Licensee. For purposes of Sexually-Oriented Businesses, a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual or individuals listed as an applicant on the application for a sexually oriented business license.

Loading Area. Any area maintained and intended for the maneuvering and temporary parking of vehicles while transferring goods or materials to and from a facility. Loading area includes the loading space and maneuvering area required to enter the loading space.

Lot. A piece, parcel, plot, or tract of land designated by its owner or developer to be used, developed, or built upon as a unit under single ownership or control and may consist of a single lot of record or a combination of complete lots of record, and/or an area of land clearly defined by plat or metes and bounds description duly recorded with the Register of Deeds.

Lot Area. The total area of a lot bounded on all sides by any front, corner, side, and/or rear lot line. However, lot area shall not include any area lying within the right-of-way of any public or private street.

Lot, Corner. A lot abutting two or more streets at their intersections. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot lines to the foremost point of the lot (or an extension of the lot where it has been rounded by a street radius) meet at an interior angle of less than 135 degrees.

Lot, Depth. A mean horizontal distance between the front and rear lot lines, measured in the general direction of its side lot lines.

Lot, Double Frontage. A lot abutting two parallel streets or abutting two streets which do not intersect at the boundaries of the lot. A corner lot shall not be considered having double frontage unless it has frontage and access on three or more streets.

Lot, Flag. An irregularly shaped lot with a limited amount of street frontage and only a thin strip of land, often consisting primarily of a driveway, connecting the street to a wider part of the lot. On a flag lot, only the wider portion of the lot is used to measure lot width.

Lot Line, Front. The lot line separating a lot from an abutting primary street or limited access highway.

Lot, Frontage. Any side of a lot adjacent to a street shall be considered frontage, and yards shall be provided upon that basis. The phrase "street frontage" shall be interpreted to have the same meaning as the phrase "lot frontage."

Lot, Interior. A lot which is not a corner lot or a double frontage lot.

Lot Line. The line of separation of a lot from any abutting public right-of-way or adjoining lot.

Lot, Multiple Frontage. A lot abutting three or more streets or public open spaces.

Lot, Non-Frontage. A lot with no frontage that is interior to a development.

Lot Line, Rear. A lot line which is opposite and most distant from the front lot line.

Lot Line, Side. Any lot line not designated as a front lot line, corner lot line, or rear lot line.

Lot, Width. The distance between straight lines connecting front and rear lot lines at each side of the lot.

– M –

Manufactured Home. A factory-built, single-family structure that is manufactured under authority of 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis and is used as a place of human habitation. The term “manufactured home” shall not include prefabricated modular dwellings placed on permanent foundations, nor shall it include travel trailers, campers, or similar units designed for recreation of other short term uses.

Marquee Sign. A sign painted on, attached to, or hung from a marquee. For purposes of this Chapter, marquee signs shall be considered “wall signs.”

Menu Board. A permanently mounted structure displaying the bill of fare for a drive-in or drive-thru business.

Mixed-Use Development. A tract of land or structure developed for both residential and nonresidential uses. Such uses may be vertically integrated within a multi-story building or horizontally integrated within a single-story building or on a lot or development site.

Monument Sign. A freestanding sign where the structural part of the sign below the sign face encompasses an area at least 40 percent of the area of the sign face but no more than 1.5 times the area of the sign face, and which is composed of brick, stone, or other material approved by the Zoning Administrator. A monument sign is a ground sign.

Moving Sign. A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the movement of parts.

Multi-Tenant. A single building or multiple buildings located on a single parcel, containing two (2) or more separate and distinct individual establishments, which occupy separate portions of the building, and which are physically separated from each other by walls.

– N –

Nonconforming. The state of not being in compliance with the permitted use, district regulations, or standards of the district to which the real estate is zoned pursuant to this Ordinance.

Nonconforming, Legally Established. Any continuous, lawfully established land use, lot, feature, building, or structure erected, constructed, commenced: (a) prior to the time of adoption, revision, or amendment of this Ordinance but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the district; (b) pursuant to a granted variance; or, (c) prior to a right-of-way acquisition or access rights acquisition by a governmental entity but which fails by reason of such right-of-way acquisition or access rights acquisition by a governmental entity to conform to the present requirements of the district.

Nonconforming Sign. Any sign which lawfully existed on the effective date of this Chapter, but which does not conform to the provisions of this Chapter, or which does not comply with this Chapter due to amendments to this Article since the date of erection of the sign.

Nudity. The showing of the human male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.

– O –

Occupancy. The use to which a building or premises is devoted.

Off-Premises Sign. A sign that advertises goods and services not sold on the premises.

Off-Site. Any premises not located within the area of the property to be subdivided and/or developed whether or not in the same ownership of the applicant for subdivision and/or development approval.

Off-Street. Parking spaces that are located completely within the boundaries of the lot, and completely off of public or private rights-of-way or alleys or any interior surface access easement for ingress and egress.

Open Space. Any property designated, dedicated, or developed for use as a park, civic space, or outdoor open space for passive and active forms of recreation.

Operator. For purposes of Sexually-Oriented Businesses, any person on the premises of a sexually oriented business who causes the business to function or who puts or keeps in operation the business or who is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business regardless of whether that person is an owner, part owner, or licensee of the business.

Owner. Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under these regulations.

– P –

Parking Area. An outdoor area containing off-street parking, including any appurtenant driving areas, such as aisles and driveways.

Parking Lot. An area used for the parking of motor vehicles with 4 or more spaces.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind. For purposes of this Chapter, pennants are "signs."

Permanent Sign. Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction so as not to be easily or readily removed from the lot on which it has been erected.

Permitted Use. The use of land or the use of a building or structure on land which is allowed, either as a matter of right or under limited conditions (i.e., as a special exception, accessory use, home occupation, or temporary use) in the district applicable to the land.

Place of Business. The physical location within a building at which a single business or entity legally operates pursuant to all Federal, State, City or other applicable laws and regulations. Any interconnectivity within a building from one location or tenant space to another shall constitute the same place of business. The use of a physical location, which is bounded on all sides by walls by more than one (1) legally operating business or entity shall only constitute a single place of business. In the event such a physical location is used or occupied by more than one (1) business, in order for such physical location to constitute a "place of business," all businesses and/or entities operating therein must be operating pursuant to all Federal, State, City or other applicable laws and regulations.

Planned Development. A zoning district in which a variety of housing types and/or related commercial facilities are accommodated in a pre-planned environment. More flexible standards, such as lot sizes and setbacks, may be exercised in a planned development zoning district than those restrictions that would normally apply under regular zoning districts.

Planning Commission. The Planning Commission of City of Goose Creek, South Carolina.

Planning Official. The Staff person or their authorized representative responsible for the preparation and administration of the Comprehensive Plan, plan implementation ordinances, review and approval of permits required by this Ordinance, land development regulations, and provides Staff directions and assistance to the Planning Commission, Board of Zoning Appeals. May be known as Zoning Administrator, City Planner, or other title given by the City Administrator.

Pole Sign. A freestanding sign that is detached from a building and is supported by one or more structural elements that are either architecturally dissimilar to the design of the sign and/or have a width less than the width of the sign face.

Portable Sign. Any sign, whether on its own trailer, wheels, or otherwise, which is designed to be transported and that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols (i.e., a changeable copy sign). Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a portable sign. In addition, the following shall be deemed a portable sign:

(1) A sign mounted or painted upon a parked vehicle that is positioned for the primary purpose of acting as a sign exposed to the public and is not in use in the ordinary course of carrying out its transportation function. See vehicle sign.

Portico. A porch or walkway, open to the outside air, that is covered by a roof supported by columns or pillars, typically leading to the entrance of a building. Signs attached to porticos are considered "wall signs" for purposes of this Chapter.

Preliminary Plat. The preliminary drawing or drawings indicating the proposed manner or layout of the subdivision to be submitted for approval after sketch plan.

Premises. For purposes of Sexually-Oriented Businesses, the real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the licensee, as described in the application for a sexually oriented business license.

Principal Structure. A structure or building having significant or primary use and justifying its own utilization (such as a dwelling or office building) as contrasted to accessory structures which are incidental or subordinate to primary structures and do not alone justify their utilization (such as a tool shed or auto garage used in conjunction with a dwelling). Certain structures may be either principal or accessory, depending upon utilization.

Principal Use. A permitted use of land or a permitted use of a building or structure on land which is allowed as a matter of right in the district applicable to the land, subject only to compliance with the development standards applicable to that district.

Primary Building. The building in which the principal permitted use of the lot is conducted.

Private streets. A privately owned and maintained access. The City of Goose Creek shall accept no responsibility for any upkeep or replacement of private streets or ancillary infrastructure, to include sidewalks. A procedure or covenant shall be in place to cover all future costs involved in maintenance or replacement costs.

Projecting Sign. Any sign in which the sign face is suspended or projected at a 90° angle from the wall, eave, or soffit of the building. Signs which are projected from the corner of the

building on a corner lot may have a sign face which projects at an angle larger than 90°. For purposes of this Chapter, a "projecting sign" shall be considered a "wall sign."

Protected Tree. Trees at least eight (8) inches DBH, excluding pine trees, sweet gum trees and invasive species.

Public Hearing. A meeting that is open to the public and advertised in advance as required by S.C. Code and this Ordinance, at which members of the public are allowed to speak on the subject of the public hearing.

Public Sign. Any sign erected by a governmental entity.

– Q –

– R –

Register of Deeds. The Register of Deeds for Berkeley County, South Carolina.

Regularly. For purposes of Sexually-Oriented Businesses, the consistent and repeated doing of an act on an ongoing basis.

Replacement Cost. Cost of replacing a structure or building at current costs at the time of the loss, identical to the one that was destroyed or is being replaced, without application of depreciation.

Right-of-Way. Specific and particularly described land, property, or interest therein devoted to and subject to lawful use, typically as a thoroughfare for passage of pedestrians, vehicles, or utilities, as set forth in a written grant, declaration, or conveyance that is pre-existing or newly dedicated by the property owner to a private land owner or a public entity and accepted by the private or public entity, and recorded in the Register of Deeds Office.

Roof Sign. A sign projecting higher than the front building wall, or any sign supported by or attached to said roof.

Rope Lighting. A type of linear lighting where small LED or incandescent bulbs are enclosed in a flexible, transparent or translucent plastic tube.

– S –

S.C. Code or South Carolina Code. The Code of Laws of the State of South Carolina.

SCDES. South Carolina Department of Environmental Services.

SCDOT. South Carolina Department of Transportation.

Screening. Any of the types of landscaping consisting of planted vegetation, walls, fences, earthen berms and any appropriate combinations of these elements as defined and required under the landscaping provisions of this Chapter.

Semi-Nude or Semi Nudity. The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breasts

exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

Setback. The distance measured perpendicularly from the lot line to the closest point of the building facade, structure, sign structure, parking area, or any other permanent improvement.

Sexual Device. Any three-dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

Shrub. A woody plant, usually maturing at less than 12 feet, having several permanent stems, instead of a single trunk.

Sidewalk. A paved area within or adjacent to the public right-of-way running generally parallel to the street for the purposes of pedestrian travel and to facilitate pedestrian access to adjacent streets, buildings, and land.

Sidewalk or Sandwich Sign. A temporary, movable sign not secured or attached to the ground or surface upon which it is located no more than 10 feet from main business entrance. Sign to be displayed during business hours of operation only. This type of sign is typically "A" shaped or in some variation thereof and usually double-sided. Definition shall include a sign displayed on an easel.

Sight Triangle. A triangle at an intersection, formed by the two roads or rights-of-way and a third line, which must be kept clear of obstructions includes but is not limited to “landscaping,” “signs,” and “site elements” so as not to impair any visibility for pedestrian or vehicular traffic.

Sign. Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, to a building or to the ground that uses any color, graphic, illumination, symbol, or writing to announce, direct attention to, identify, advertise or communicate a message to the public. Signs do not include the flag or emblem of any nation, organization of nations, state, city or any fraternal, religious or civic organizations; works of art which in no way identify a product; or scoreboards located on athletic fields. Except where the address is also the name of the business, or institution owning or occupying the premises, displayed address information is not a sign or part of a sign for the purposes of this code.

Signable Area. In the case of a wall sign, signable area shall be the building face on which the sign is proposed, excluding windows and doors. In the case of marquees or canopies, signable area shall be the area of area of the marquee or canopy wall on which the sign is proposed. For window signs, signable area shall be measured and calculated on the basis of the proportion of area within each individual window frame, not the total window area of all building windows visible from a street.

Sign Copy. The physical sign message includes any words, letters, numbers, pictures, and symbols.

Sign Face. The area of a sign where the message is displayed. It includes the entire area of the surface of a sign, including the border or frame, and any material forming an integral part of the background of the display or used to differentiate the sign from the backdrop or building against which it is erected.

Site Plan. A plan to ensure that the layout and general design of a proposed development complies with the standards of this Ordinance and all other applicable City regulations.

Site Specific Development Plan. Those documents that comprise a complete application for a zoning permit, certificate of zoning compliance, variance, special exception, planned development, or other similar approval that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit.

Sketch Plan. A generalized map prepared by the developer that shows the development concept for a subdivision. Its purpose is to serve as a basis for the development of a preliminary plat.

Special Event. A non-routine activity within the City of Goose Creek that brings together a number of people including, but not limited to, a performance, exhibition, festivals, concerts, carnivals, arts and craft shows, meeting, assembly, contest, exhibit, ceremony, parade, or athletic competition for which specific space is requested to be reserved. Special Event shall not include casual park use by visitors or tourists.

Special Exception. The use of land or the use of a building or structure on land which is allowed in the district applicable to the land only through the grant of a special exception by the Board of Zoning Appeals.

Specified Anatomical Areas. (1) Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Stop Work Order. An order directing the person responsible for the development of land to cease and desist all or any portion of the activity which violates the provisions of this Ordinance.

Street. A public thoroughfare designed to provide the principal means of access to abutting property, or designed to serve as a roadway for vehicular travel, or both, but excluding alleys.

Street, Primary. The street on which the parcel's front lot line abuts and address is platted.

Street, Secondary. The street that intersects with the Primary Street on which the parcel's corner lot line abuts.

Structure. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other

things, structures include buildings, mobile homes, fences, walls, parking areas, loading areas, towers, antenna, and signs.

Subdivision. Any division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or development— including any division of land involving a new street or change in existing streets, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, any re-subdivision involving the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, and the combination of record lots— provided, however, that the following are excepted from this definition:

(1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance;

(2) The division of land into parcels of five (5) acres or more where no new street is involved and plats of these exceptions are received as information by the City, which shall indicate that fact on the plats;

(3) The combination or recombination of entire lots of record where no new street or

(4) Change in existing streets is involved; and

(5) The partition of land by court decree.

Substantial Enlargement of a Sexually-Oriented Business. The increase in floor areas occupied by a sexually-oriented business by more than 25 percent.

Swinging Sign. A sign other than an animated sign as defined by this Article, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building or monument at a height above normal eye level. A swinging sign may be considered in lieu of permitted wall signage. For the purposes of this code section, a “swinging sign” shall be considered a “projecting sign”.

– T –

Temporary Sign. A sign that is not permanently mounted, which are intended to be temporary and are of the type capable of being removed with minimal effort.

Temporary Use. A land use established for a limited and fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Traffic Impact Analysis. A specialized engineering study that forecasts, describes, and recommends mitigation measures for the on-site and off-site traffic impacts of a proposed development on the existing and future multi-modal transportation network.

Transfer of Ownership or Control of a Sexually oriented Business.

(1) The sale, lease or sublease of a sexually-oriented business;

(2) The transfer of securities which constitute an influential interest in a sexually-oriented business, whether by sale, exchange, or similar means; or

(3) The establishment of a trust, gift or other similar legal device which transfers the ownership or control of a sexually-oriented business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Tree. A self-supporting woody perennial plant with a trunk diameter of at least two (2) inches measured at six (6) inches above ground level, with a mature height of at least 12 feet, and usually having one main stem or trunk and many branches.

(A) *Canopy Tree.* A tree that has an expected height at maturity greater than 30 feet and produces shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped; also known as a shade tree.

(B) *Specimen Tree.* A particularly impressive or unusual example of a species due to its size, shade, age, or any other trait that epitomizes the character of the species.

(C) *Understory Tree.* An evergreen or deciduous tree with a mature height of over 15 feet but no greater than 25 feet.

Tree Protection Zone. The minimum area beneath a tree which should be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival.

Tree Replacement Schedule. A plan showing the location, species and sizes of all replacement trees; and a table listing removed applicable protected, significant, and historical trees, as noted in this section, with total replacement caliper inches required.

Tree Survey. A survey completed by a registered land surveyor, usually as part of a site plan, of the location, size (as DBH), and species of the existing trees on a site. For purposes of this Ordinance, this survey shall include trees of eight (8) inches or greater DBH and show tree protection zones, and any other trees identified to meet the required density factor for the site. A tree survey may be verified by on-site viewing by City Staff authorized to perform the verification.

– U –

Use. The purpose or activity for which land, buildings, or structures are designed, arranged, or which land, buildings, or structures are occupied or maintained.

Use, Permitted. See Permitted Use.

Utilities. Consist of any or all utility services to a subdivision or other land development including, but not limited to, water, electricity, telephone, cable television, gas, sanitary sewerage and storm sewers, whether these utilities are supplied by a private individual or company, or a governmental entity.

– V –

Vacant. A structure or lot that is not occupied or otherwise used for an allowed zoning activity.

Variance. Permission granted by the Board of Zoning Appeals to depart from the requirements of this Ordinance.

Vehicle Sign. Advertisement or graphics intended to advertise business displayed on the exterior of a vehicle, but does not include license plates, license plate frames.

– W –

Waiver. A grant of relief from certain requirements of this Chapter by the Planning Commission. Such relief may only be granted where expressly permitted by this chapter and upon demonstration of conformance to the criteria stated herein.

Walkway. A defined pedestrian way, typically improved with concrete or asphalt, which provides for pedestrian movement on private property. A walkway may or may not be located in a pedestrian easement.

Wall Sign. Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface. No wall sign shall extend more than six (6) inches from any wall, building, or structure.

Wayfinding Sign. A system of public signs identifying direction to major public and private facilities or destinations of interest to the general public and typically including graphic elements mounted on separate freestanding signs or incorporated with other sign, light, or traffic standards.

Wetland. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Windblown or Air-Blown Device. Any device not otherwise specifically defined in this Chapter, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind or mechanically compressed air. For purposes of this Chapter, windblown devices are “signs.”

Window Sign. Any sign that is placed inside a window, within two (2) feet of a window, or upon the windowpanes or glass, either inside or outside the building, and is visible from the exterior of the structure.

– X –

– Y –

Yard, Established. An open space, unobstructed to the sky, with the exception of permitted encroachments, extending fully across the lot while situated between the front, corner, side, or rear lot line and an established front, corner, side, or rear building line.

– Z –

Zoning Administrator. The City employee to whom the City Administrator has delegated the responsibility of administering and enforcing all provisions of this Ordinance. The Zoning Administrator is the person referred to as "Zoning Administrator" in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. Code § 6-29-310 et seq.).

Zoning District. An area delineated on the Official Zoning Map within which a prescribed set of use requirements and development standards are applied to various types of development.

9.3 Measurements

(A) Building Height. The height of a building shall be determined by measuring from the average finished ground elevation at the base of the structure to the highest point of the roof of the structure. Spires, belfries, cupolas, domes, chimneys, elevator housings, water tanks, ventilators, skylights, mechanical equipment and appurtenances, and similar rooftop structures or structural elements not intended for human occupancy shall be excluded.

(B) Density (Dwelling Units per Acre)

(1) This is calculated by taking the total property area divided by the number of units. For example: if a ten-acre property contains 40 residential lots, the gross density is four (4) units per acre (40-units/10-acres = 4 units/acre). For purposes of determining maximum net density, an accessory dwelling unit shall not count as a dwelling unit.

(2) Maximum density standards apply only to development comprised of dwelling uses (e.g., household living uses). For a mixed-use development containing dwelling units and nonresidential principal uses, net density shall be determined by dividing the total number of dwelling units located or proposed on the lot by that portion of the net lot area allocated to the dwelling uses (and not allocated to nonresidential or non-dwelling uses).

(C) Impervious Surface Ratio. Impervious Surface Ratio shall mean the maximum proportion of a site that may be occupied by surfaces that do not absorb water.

(D) Lot Area. Lot area shall be determined by measuring the total horizontal land area (in acres or square feet) within the lot lines of the lot, excluding public street rights-of-way and private street easements. For purposes of determining density or lot coverage, any part of the net lot area dedicated as recreation area, park, greenway, or other public open space in conjunction with or part of development approval in accordance with this Ordinance shall continue to be considered part of the lot area of the development site.

(E) Lot Width. Lot width means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard. The width between side lot lines where they intersect with the street line shall not be less than 80 percent of the minimum lot width, and in the case of lots fronting on a cul-de-sac, the width between side lot lines at their foremost points shall not be less than 20 feet.

(F) Setbacks.

(1) The area defined by a minimum setback is a required front, side, or rear yard (as appropriate).

(2) The front of an interior lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided upon that basis taking into account any allowed reduction.

(3) In the case of through lots, front yards of the required depth shall be provided on all frontages.

(4) For non-frontage, double frontage, and multiple frontage lots, the Zoning Administrator may determine which lot lines shall be considered front, corner, side, or rear based on the context of the development.

(5) If the average front yard on improved yards located on the same block face and in the same zoning district is less than the minimum required front yard, the minimum required front yard, applicable to the lot, may be reduced to such average.

(6) Steps and open porches without roofs may encroach into any required minimum yard within five feet of an adjoining property line. Eaves, cornices, gutters, chimneys and other minor architectural features may extend up to 18 inches from the main portion of a building into any required minimum yard.