

CHAPTER 4 | BASE ZONING DISTRICTS

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CHAPTER 4 | BASE ZONING DISTRICTS

ART. 4.1 GENERAL

§4.1.1 ESTABLISHMENT OF ZONING DISTRICTS

The following base zoning districts are hereby established:

DISTRICT NAME		COMPREHENSIVE PLAN LAND USE
AG-25	Resource Management	Resource Management [Agricultural]
AG-15	Agricultural Preservation	Agricultural Preservation (Agricultural)
AG-10	Agricultural Preservation	Agricultural Preservation [Agricultural]
AG-8	Agricultural Preservation	Agricultural Preservation [Agricultural] Rural Agricultural [Rural]
AGR	Agricultural/Residential	Agricultural Residential [Agricultural]
RR-3	Rural Residential	Rural Residential [Rural]
RR-1	Rural Residential	Residential/Special Management [Suburban]
RSL	Low-Density Suburban Residential	Residential Low Density [Suburban]
RSM	Moderate-Density Suburban Residential	Residential Moderate Density [Suburban]
MHS	Low-Density Manufactured Housing Subdivision	Residential Low Density [Suburban]
MHP	Manufactured Housing Park	Residential Moderate Density [Suburban]
OR	Residential Office	Commercial [Suburban]
OG	General Office	Commercial [Suburban]
CN	Neighborhood Commercial	Commercial [Suburban]
CT	Commercial Transition	Commercial [Suburban]
CR-1	Rural Commercial	Commercial [Agricultural]
CR-2	Rural Commercial	Commercial [Rural]
CC	Community Commercial	Commercial [Suburban]
I	Industrial	Industrial [Rural and Suburban]

§4.1.2 ZONING DISTRICT REFERENCES

References in this Ordinance to “nonresidential” zoning districts shall be construed as references to all base zoning districts beginning with the letters “O” (Office), “C” (Commercial) or “I” (Industrial). References to “residential” zoning districts shall be construed as references to all base zoning districts beginning with the letter “R” and “M”. References to “agricultural” zoning districts shall be construed as references to all base zoning districts beginning with the letter “A.”

§4.1.3 ZONING DISTRICT HIERARCHY

Under the hierarchy established by this Ordinance, the AG-25 district is the most restrictive base zoning district, while the I district is the least restrictive base zoning district. The table of Section 4.1.1 presents the districts in order, from most to least restrictive. The Planned Development, Overlay and Special Purpose zoning districts are not included in the zoning district hierarchy.

ART. 4.2 MEASUREMENTS, COMPUTATIONS AND EXCEPTIONS**§4.2.1 DENSITY**

Density refers to the number of dwelling units per unit of land area. Density is calculated by dividing the number of dwelling units on a site by the gross area (in acres) of highland (including freshwater wetlands) of the site on which the dwelling units are located. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards of this Ordinance shall be met. The maximum density established for a district is not a guarantee that such densities may be obtained, nor shall the inability of a development to achieve the stated maximum density be considered sufficient justification for varying or otherwise adjusting other density, intensity or dimensional standards of this Ordinance.

§4.2.2 LOT AREA**A. MEASUREMENT**

Lot area refers to the horizontal land area within lot lines, including freshwater wetlands.

B. EXCEPTIONS

No zoning permit, building permit or development approval may be issued for a lot that does not meet the minimum lot area requirements of this Ordinance except in the following cases:

1. Nonconforming lots may be used in accordance with the provisions contained in Chapter 10 of this Ordinance.
2. Utilities using land or an unoccupied building covering less than 1,000 square feet of site area shall be exempt from minimum lot area standards.

C. ABSENCE OF SEWER OR WATER

In the absence of public water or public sewer, no zoning permit or building permit shall be issued until the lot meets all applicable requirements of this Ordinance and the South Carolina Department of Health and Environmental Control (DHEC).

§4.2.3 SETBACKS

Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located, except as modified by the standards of this section.

A. EXCEPTIONS TO SETBACKS

Every part of a required setback must be open and unobstructed from the ground to the sky except as set out in this subsection.

1. Trees, shrubbery or other landscape features may be located within any required setback.
2. Fences and walls may be located within any required setback, provided that in residential, office and commercial districts no fence, wall or hedge shall exceed:

- a. 4 feet in height when located within any front or street side setback;
 - b. 8 feet in height when located in an interior side or rear setback.
3. Driveways may be located in front and street side setbacks.
 4. Sidewalks may be located within any required setback.
 5. Utility lines, wires and associated structures, such as power poles, may be located within any required setback.
 6. Uncovered porches, uncovered steps to building entrances, uncovered patio decks and uncovered balconies may extend up to 5 feet into any required front, rear or street side setback.
 7. Openwork fire balconies and fire escapes may extend up to 5 feet into any required side setback.
 8. Sills, belt courses, cornices, buttresses, eaves and other architectural features may extend up to 2 feet into any required setback.
 9. Chimneys and flues may extend up to 2 feet into any required setback.
 10. Satellite dish antennas may be placed in required rear setbacks.
 11. Mechanical equipment, including Heating Ventilation and Air Conditioning (HVAC) equipment, may be extended up to 5 feet into required side or rear setbacks in all zoning districts.

B. CONTEXTUAL SETBACKS

Notwithstanding the front setback requirements of the underlying zoning district, the front building line of any structure or addition to a structure may be as close to the street as the front building line of a structure located on any lot that is immediately adjacent to the subject lot. If the subject lot is located between 2 developed lots, the front building line of the structure that is set back further from the street shall apply to the subject lot.

C. SETBACK REDUCTIONS

Where the front, interior side and rear setbacks of the underlying zoning district reduces the buildable width of a lot to less than 40 feet, the Planning Director shall be authorized to reduce the required setbacks as much as necessary. However, no setback reduction granted by the Planning Department shall be for more than 15 feet.

D. FRONT SETBACKS ON NARROW STREETS

Where a lot abuts a dedicated street (that has been accepted for street maintenance) with a right-of-way width of less than 50 feet, the required front setback shall be measured from a line measured 25 feet from the center of such right-of-way.

E. SETBACKS ON CORNER AND DOUBLE-FRONTAGE LOTS

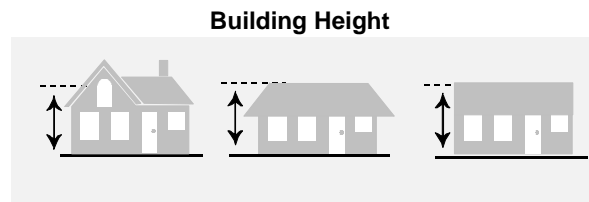
On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street. The remaining lot lines will be subject to side setback standards. There is no rear lot line.

F. REDUCTION FOR PUBLIC PURPOSE

When an existing setback is reduced because of conveyance to a federal, state or local government for a public purpose and the remaining setback is at least 50 percent of the required minimum setback for the district in which it is located, then that remaining setback will be deemed to satisfy the minimum setback standards of this Ordinance.

§4.2.4 BUILDING HEIGHT

Building height refers to the vertical distance between the base flood elevation and: 1) the average height level between the eaves and ridge line of a gable, hip or gambrel roof; 2) the highest point of a mansard roof; or 3) the highest point of the coping of a flat roof.



A. FENCES OR WALLS

In the case of fences or walls, height shall be measured from ground level on the higher side of the fence or wall.

B. EXCEPTIONS TO HEIGHT LIMITS

Unless otherwise expressly stated, the height limitations of this Ordinance shall not apply to any of the following:

1. Farm buildings in any Agricultural zoning (A) district;
2. Electrical power transmission lines;
3. Belfries, cupolas, spires, domes, monuments, flagpoles, chimneys, radio/television receiving antennas or chimney flues; or
4. Bulkhead, elevator, water tank, or any other similar structure or necessary mechanical appurtenance extending above the roof of any building, if such structure does not occupy more than 33a percent of the area of the roof.

§4.2.5 BUILDING COVERAGE

Building coverage refers to the area of a lot covered by buildings (principal and accessory) or roofed areas, as measured along the outside wall at ground level, and including all projections, other than open porches, fire escapes, canopies and the first 2 feet of a roof overhang.

ART. 4.3 AG-25, RESOURCE MANAGEMENT DISTRICT

§4.3.1 DESCRIPTION

The AG-25, Resource Management district implements the Resource Management (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§4.3.2 USE REGULATIONS

Uses are allowed in the AG-25 district in accordance with the Use Regulations of Chapter 6.

§4.3.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and nonresidential development in the AG-25 district shall be subject to the following density, intensity and dimensional standards:

AG-25 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY [1]	1 dwelling unit per 25 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

[3] On tracts of 100 or more acres, where lots ranging from 1 to 3 acres are created, a bonus of one dwelling shall be allowed on the residual area of the parent tract.

§4.3.4 OTHER REGULATIONS

Development in the AG-25 district shall comply with all other applicable regulations of this ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.3.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of the AG-25 Zoning District.

ART. 4.4 AG-15, AGRICULTURAL PRESERVATION DISTRICT

§4.4.1 DESCRIPTION

The AG-15, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§4.4.2 USE REGULATIONS

Uses are allowed in the AG-15 district in accordance with the Use Regulations of Chapter 6.

§4.4.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-15 district shall be subject to the following density, intensity and dimensional standards:

AG-15 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 15 acres
MINIMUM LOT AREA	3 acres
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. DEVELOPMENT ALONG CRITICAL LINE

The area of a parcel in the AG-15 district within 1000 feet of the OCRM Critical Line has a Maximum Density of 1 dwelling unit per 3 acres with a minimum lot area of 3 acres. The remaining acreage of the parcel (more than 1000 feet from the OCRM Critical Line) maintains a density of 1 dwelling unit per 15 acres.

§4.4.4 OTHER REGULATIONS

Development in the AG-15 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.4.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of the AG-15 Zoning District.

ART. 4.5 AG-10, AGRICULTURAL PRESERVATION DISTRICT

§4.5.1 DESCRIPTION

The AG-10, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*.

§4.5.2 USE REGULATIONS

Uses are allowed in the AG-10 district in accordance with the Use Regulations of Chapter 6.

§4.5.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-10 district shall be subject

to the following density, intensity and dimensional standards:

AG-10 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 10 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. ACHIEVING HIGHEST DENSITY

In order to achieve the highest allowed density of 1 dwelling unit per 5 acres, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.5.4 OTHER REGULATIONS

Development in the AG-10 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.5.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of the AG-10 Zoning District.

ART. 4.6 AG-8, AGRICULTURAL PRESERVATION DISTRICT

§4.6.1 DESCRIPTION

The AG-8, Agricultural Preservation district implements the Agricultural Preservation (Rural Landscape-Agricultural Area) and Rural Agricultural (Rural Landscape-Rural Area) policies of the *Comprehensive Plan*.

§4.6.2 USE REGULATIONS

Uses are allowed in the AG-8 district in accordance with the Use Regulations of Chapter 6.

§4.6.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE

All residential and nonresidential development in the AG-8 district shall be subject to the following density, intensity and dimensional standards:

AG-8 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 8 acres
MINIMUM LOT AREA	1 acre
MINIMUM LOT WIDTH	135 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. ACHIEVING HIGHEST DENSITY

In order to achieve the highest allowed density of 1 dwelling unit per 4 acres, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.6.4 OTHER REGULATIONS

Development in the AG-8 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.6.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of the AG-8 Zoning District.

ART. 4.7 AGR, AGRICULTURAL/RESIDENTIAL DISTRICT

§4.7.1 DESCRIPTION

The AGR, Agricultural/Residential district implements the Agricultural Residential (Rural Landscape-Agricultural Area) policies of the *Comprehensive Plan*. The district is intended for application in all settlement areas.

§4.7.2 USE REGULATIONS

Uses are allowed in the AGR district in accordance with the Use Regulations of Chapter 6.

§4.7.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS

All residential and nonresidential development in the AGR district shall be subject to the following density, intensity and dimensional standards:

AGR DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per Acre
MINIMUM LOT AREA	30,000 square feet
MINIMUM LOT WIDTH	100 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

§4.7.4 OTHER REGULATIONS

Development in the AGR district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.7.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of the AGR Zoning District.

§4.7.6 SETTLEMENT AREAS

Settlement areas include small older crossroads communities, family lands, typical suburban style subdivisions, frontage lots along local roads, waterfront developments, and vacant land that has been subdivided for residential use but not yet built upon. The criteria for parcels to qualify for inclusion into a "Settlement Areas" are as follows:

1. Parcel size of 30 acres or less; and
2. Parcel must be located in an AG-8, AG-10, or AG-25 Zoning Districts or adjacent to lands currently zoned AGR; and
3. Parcel must be either within 1,000 feet of an existing AGR Zoning District or show the same obvious spatial characteristics of other existing AGR Zoning Districts in the agricultural area; and
4. A parcel of land may be identified as a Settlement Area as determined by the Planning Director if the property owner can demonstrate by a survey or other legally recorded plats or deeds of their property, as prepared by a registered surveyor in the State of South Carolina that their property has 30 acres or less of high land; and
5. Tax parcels are not located on Wadmalaw Island.

ART. 4.8 RR-3, RURAL RESIDENTIAL DISTRICT**§4.8.1 DESCRIPTION**

The RR-3, Rural/Residential district implements the Rural Residential (Rural Landscape-Rural Area) policies of the *Comprehensive Plan*.

§4.8.2 USE REGULATIONS

Uses are allowed in the RR-3 district in accordance with the Use Regulations of Chapter 6.

§4.8.3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS**A. DENSITY/INTENSITY AND DIMENSIONAL STANDARDS TABLE**

All residential and nonresidential development in the RR-3 district shall be subject to the following density, intensity and dimensional standards:

RR-3 DENSITY/INTENSITY AND DIMENSIONAL STANDARDS	
MAXIMUM DENSITY	1 dwelling unit per 3 acres
MINIMUM LOT AREA	30,000 sq. ft.
MINIMUM LOT WIDTH	100 feet
MINIMUM SETBACKS	
Front/Street Side	50 feet
Interior Side	15 feet
Rear	30 feet
OCRM Critical Line	50 feet
MAXIMUM BUILDING COVER	30% of lot
MAXIMUM HEIGHT	35 feet

B. ACHIEVING HIGHEST DENSITY

In order to achieve the highest allowed density of one dwelling unit per acre, a request must be processed through the Planned Development process as designated in Art. 3.5 of this Ordinance.

§4.8.4 OTHER REGULATIONS

Development in the RR-3 district shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9. All waterfront property subdivided after April 21, 1999 shall be subject to the provisions of the Waterfront Development Standards contained in Article 4.22 of this Chapter.

§4.8.5 ONE TIME SUBDIVISION OF NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999

A one time subdivision creating one lot from a non-conforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area of the RR-3 zoning district.