John J. Tecklenburg
Mayor

Hernan E. Peña, Jr.
Director

City of Charleston

South Carolina

Department of Traffic & Transportation

Traffic & Transportation Committee
First Floor Conference Room
80 Broad Street
Tuesday, April 19, 2016 2:00 p.m.

Chair, Councilmember Michael Seekings
Vice-Chair, Councilmember Marvin Wagner
Councilmember William Moody, Jr.
Councilmember Kathleen Wilson
Mayor John J. Tecklenburg

AGENDA

1.	Invocation	Councilmember Seekings
2.	Approval of Minutes	Deferred
3.	Gathering Place: Mixed Use 3 Ordinance	Staff

Ratification
Number _____

AN ORDINANCE

TO AMEND PROVISIONS OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING PART 12 – GATHERING PLACE TO CHANGE DISTRICT NAME AND SPECIFIC DETAILS WITHIN, BY AMENDING ARTICLE 2, PART 3, TABLE OF PERMITTED USES TO CHANGE DISTRICT NAME, BY AMENDING SEC. 54-301, TABLE 3.1: HEIGHT, AREA AND SETBACK REGULATIONS ADDING A NEW ROW, BY AMENDING SEC. 54-201, BASE ZONING DISTRICTS TO CHANGE DISTRICT NAME, BY AMENDING ARTICLE 2, PART 11, SEC. 54-268 DESIGNATION OF DESIGN REVIEW DISTRICT, REVIEW AUTHORITY, SCOPE OF AUTHORITY AND EXEMPTIONS TO CHANGE DISTRICT NAME, BY AMENDING ARTICLE 3, PART 8, SEC. 54-347 LANDSCAPE BUFFER REQUIREMENTS TO CHANGE DISTRICT NAME, TO WIT:

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Part 12 – Gathering Place (GP) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~strikethrough~~):

PART 12 - ~~GATHERING PLACE (GP)~~ **MIXED USE 3- CENTERS (MU-3/C)** DISTRICT

Sec. 54-274. - Purpose.

This **incentive based** district authorizes mixed-use town, village, and neighborhood centers around the city at major intersections or along traditional commercial streets around the city. Diverse housing, mixed-use, and pedestrian-oriented development are permitted in the district to allow for a variety of housing types to address housing needs, to create concentrations of housing and services at locations accessible by public transportation**,** and to facilitate an environment conducive to walking.

The purpose of the District is to preserve the character and quality of the existing residential neighborhoods and to accommodate responsible growth through the use of incentives designed to promote and protect the built and natural environments.

~~Gathering Place District is for suburban locations where there is undeveloped acreage of at least eighty (80) acres, or for development sites of at least three (3) acres, as designated for Gathering Places in the City's Comprehensive Plan.~~

The District is for non-peninsula infill or redevelopment sites located adjacent to streets or intersections experiencing high travel volumes and providing important connectivity. All new sites must meet the following criteria:

1) Are located within the Urban Growth Boundary
2) Are able to be served within existing water and sewer connections
3) Are located within one quarter (0.25) mile of an existing publicly accessible transit stop
4) Are a minimum area of three (3) highland acres

Sec. 54-275. - Definitions.

For purposes hereof, the following words have the following meanings:

~~Pavement width. That portion of a street devoted exclusively to the operation of motorized vehicles. Specifically excluded are on-street parking spaces, sidewalks and landscaped areas.~~

~~Building frontage. The width of a building along a street, including parallel walls or fences, but excluding roof overhang and canopies, and any ornamental features that cause a protrusion from the walls of the building. Building frontage shall be measured as the combined width of the building faces that front the street and lie within setback limits. When the width of the building varies vertically, building frontage shall be measured at ground level.~~

~~Frontage line. The part of a lot abutting with the right-of-way of an adjacent street~~.

Street. The entire width between boundary lines of every way, including sidewalks, used for purposes of vehicular traffic to include any public way, road, highway, street, avenue, boulevard, parkway, alley, lane, bridge**,** and approaches thereto. "Street" shall also mean any private way, road, highway, street, avenue, boulevard, parkway, alley, lane, bridge, and approaches thereto, as well as any private way or area within a shopping center, office park**,** or other non-residential development, including sidewalks, that is designed or intended for the passage of vehicular traffic.

Aquatic Bench. A shallow area just inside the perimeter of a water body where aquatic and wetland plants exist to protect water quality, stabilize the bank, sustain ecosystems and offer aesthetic appeal.

Car Share Program. A membership-based shared vehicle program in which member drivers are able to reserve and drive a vehicle they do not own.

Coastal SC Low Impact Development Guide. Ellis, K., C. Berg, D. Caraco, S. Drescher, G. Hoffmann, B. Keppler, M. LaRocco, and A.Turner. 2014. Low Impact Development in Coastal South Carolina: A Planning and Design Guide. ACE Basin and North Inlet – Winyah Bay National Estuarine Research Reserves, 462 pp.

Development Plan. A general plan for an area within the District that delineates the streets, uses, Open Space, connections, incentive options, density, height and the relationship of proposed uses to adjacent properties.

Fair Market Rent. An amount calculated and published annually by the United States Department of Housing and Urban Development, or its successor, for the Charleston-North Charleston Metropolitan Statistical Area (eighty (80%) percent of area median income (AMI)), as adjusted by the City of Charleston Department of Housing and Community Development. In the absence of such information, the rents charged by the owner shall not exceed thirty (30%) percent of the annual Household Income.

Household Income. All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips, commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, railroad retirement benefits, Supplemental Security income, Aid to Families with Dependent Children or other public assistance welfare programs, other sources of income regularly received, including Veterans' (VA) payments, unemployment compensation and alimony, awards, prizes,

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government or institutional or eleemosynary loans, grants or subsidies and contributions made by the members' families for medical, personal or educational needs.

Initial Maximum Allowable Sales Price. An amount equal to three (3) times one hundred twenty (120%) percent of the area median family income (AMI), as determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors, plus any subsidy available to the buyer.

Open Space. Outdoor areas designed and developed to provide for active and/or passive, recreational and/or leisure uses. All Open Space shall be at ground level. Open Space shall be visible from a public right-of-way and is intended to be inviting for residents and the general public. Open Space shall be regularly accessible to the public at minimum from dawn until dusk. Wetlands, buffers, stormwater ponds, and areas used for parking, loading, vehicular access, dumpsters or HVAC systems do not qualify as Open Space.

Owner Occupied Workforce Housing Unit. A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, Household Income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

Qualified Household. Households where occupants have, in the aggregate, a Household Income less than or equal to one hundred twenty (120%) percent of the area median income (AMI) for owner occupied units, or a Household Income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

Rental Workforce Housing Unit. A dwelling unit, where occupants have, in the aggregate, a Household Income less than or equal to eighty (80%) percent of the area median family income (AMI) for rental units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development as adjusted by the City of Charleston Department of Housing and Community Development, or their successors.

Sec. 54-276. - Permitted uses.

See Article 2, Part 3: Table of Permitted Uses.

Every Development Plan in the District shall contain both residential and non-residential land uses, with the larger use occupying no more than eighty five (85%) percent of the total gross square footage.

Assisted living, nursing homes and other similar uses without full kitchens as part of a unit are deemed to be residential uses for the purpose of this calculation.

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Sec. 54-277. - Density and lot size.

The maximum allowable density in this District is intended to make both public transit and affordable housing options practical, as both are only viable if the density is high enough to sustain them.

The base density is limited to 13.2 dwelling units per highland acre, subject to density bonuses acquired through the use of Incentive Options as hereinafter set forth. Within the ~~Gathering Place~~ District, there are no maximum ~~density~~ or minimum lot size requirements~~.~~ once a Development Plan has been approved.

Sec. 54-278. - Block length.

No block face within **the**~~a Gathering Place~~ District shall exceed 400' in length without another street providing through access. This length can be extended to 600' if an **accessible** ~~mid~~**interior**-block pedestrian ~~path~~**way breaks up the mass and scale of the building façade. Any interior-block pedestrian way shall be inviting and open to the public regularly between, at minimum, dawn until dusk, provide through access, and the location of which must be approximately in the middle of the block face and the design of which is subject to the approval of the Design Review Board.**

Sec. 54-279. - Street connectivity.

Streets in the ~~Gathering Place~~ District must ~~to~~ connect to other streets within the District and to adjoining parcels~~neighborhoods~~. Cul-de-sacs~~, T-turnarounds and dead-end streets~~ are not permitted in ~~a Gathering Place~~**the** District. ~~unless unavoidable due to physical constraints of the site or an adjoining site.~~ **T-turnarounds and dead-end streets are permitted only to preserve a means of connectivity to future development or adjacent parcels provided, however, no T-turnaround or dead end street shall stub at grand trees, wetlands or similar protected natural features.**

~~In the event of unavoidable physical constraints, a modified cul-de-sac may be used if it does not exceed 600 feet in length and meets one of the following criteria:~~

1. ~~It incorporates an alternative design feature at the center of the turn-around, such as a natural area with existing trees, a landscaped space, or a park area with amenities, the size of which must at least equal the square footage of pavement within the turn-around area.~~
2. ~~A pedestrian access area to the marsh front, waterfront or other physical feature that necessitates the cul-de-sac, the area of which must be at least equal to the square footage of the turn-around.~~

Gated streets are not permitted in ~~a Gathering Place~~**the** District.

Sec. 54-280. **- Height limits.** ~~- Thoroughfare classifications and right-of-way design standards.~~

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The minimum height of a building or structure shall be two (2) stories. The maximum height of a building or structure shall be five (5) stories. Prevailing grand tree heights in the Development Plan area may alter height restrictions, as determined by the Design Review Board.

~~a. Within the Gathering Place District, a thoroughfare is defined as a vehicular way incorporating moving lanes and parking lanes within a right-of-way. Thoroughfares shall be designed in context with the Gathering Place District development for which they will be incorporated based on geography, infrastructure, proposed land use and density.~~

~~b. Thoroughfares are identified according to the following definitions and hierarchy, which are only applicable within the boundaries of a Gathering Place District.~~

~~Type 1 GP Commercial Street~~	~~This thoroughfare is, by definition, a Commercial Street, with moderate vehicular speed [20 to 25 mph] and high vehicular and pedestrian traffic volumes. Adjoining uses are mixed, with no residential uses on the street level floors of buildings. Pedestrian-oriented design, including sidewalks and bicycle route designation, is essential on these streets to assure their being safe, convenient, and enjoyable for walking. Walking is a primary function of Thoroughfare Type 1, the Commercial Street.~~
~~Type 2 GP Mixed-Use Street~~	~~This thoroughfare is labeled a Street and has moderate vehicular speed [20 to 25 mph] and high vehicular and pedestrian traffic volumes. Adjoining uses are mixed. Pedestrian-oriented design, such as sidewalks, is essential on these streets to assure their being safe, convenient, and enjoyable for walking. Walking is a primary function of Type 2 Thoroughfare, the Street.~~
~~Type 3 GP Small Street~~	~~This is a thoroughfare defined as a Small Street having lower vehicular speeds [20 mph] and moderate volume of both vehicular and pedestrian traffic. Pedestrian-oriented design, such as sidewalks and walking trails, is essential on these streets to assure their being safe, convenient, and enjoyable for walking. Walking is a primary function of the Small Street, Type 3 thoroughfare.~~
~~Type 4 GP One Way Street~~	~~This is a thoroughfare defined as a One Way Street that carries vehicle traffic in one direction. Pedestrian-oriented design, such as sidewalks and walking trails, is essential on these streets to assure their being safe, convenient, and enjoyable for walking and to fulfill their pedestrian function.~~
~~Type 5 GP Road~~	~~This is a local, rural and/or suburban thoroughfare defined as a Road and having lower vehicular speeds [20 mph]. It does not include curb/gutter and sidewalks as a Road is intended for uses where off-street paths exist or the streets themselves are used to satisfy the pedestrian travel function. The Road, a Type 5 thoroughfare, incorporates swales for stormwater management. The Type 5 Road thoroughfare is intended for more rural areas and environmentally sensitive areas.~~

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~~Type 6 GP Alley~~	~~This thoroughfare, defined as an Alley, provides rear access to building lots for service access, parking access and utility easements. This Type 6 thoroughfare, functions as both pedestrian and vehicular accessway.~~
~~Type 7 GP Avenue~~	~~This thoroughfare Type 7, defined as an Avenue, is designed to accommodate predominantly vehicular traffic. Type 7 Avenues can function as connectors between Gathering Place Districts and other urban developments and become collectors upon exiting urban centers.~~

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~~c. Gathering Place thoroughfares shall be designed according to the minimum design requirements found in Table 12-1.~~

~~TABLE 12-1: THOROUGHFARE AND RIGHT-OF-WAY DESIGN REQUIREMENTS~~

~~Thoroughfare Type~~	~~R-O-W[1]~~	~~Travel Lanes[2]~~	~~On-street Parking[3]~~	~~Curb~~	~~Curb Radii[4]~~	~~Street Trees (2 sides)[5]~~	~~Street tree Spacing[5]~~	~~Sidewalks~~	~~Bicycle Travel[6]~~
~~Type 1 GP >Commercial Street~~	~~62′ min.~~	~~Two-ways 11′ min. travel lane~~	~~7′ (2 sides)~~	~~Vert.~~	~~15′~~	~~Tree Well (24 sq ft) or Planting Strip (5 ft. min. width)~~	~~20′—40′~~	~~8′ min. (2 sides)~~	~~optional~~
~~Type 2 GP Mixed-Use Street~~	~~60′ min.~~	~~Two-ways 10′ min. travel lane~~	~~7′ (2 sides)~~	~~Vert.~~	~~15′~~	~~Tree Well (24 sq ft) or Planting Strip (5 ft. min. width)~~	~~20′—40′~~	~~8′min. (2 sides)~~	~~optional~~
~~Type 3 GP Small Street~~	~~55′ min.~~	~~Two-ways 10′ min. travel lane~~	~~7′ (1 side)~~	~~Vert.~~	~~15′~~	~~Tree Well (24 sq ft) or Planting Strip (4 ft. min. width)~~	~~30′—50′~~	~~5′min. (2 sides)~~	~~optional~~
~~Type 4 GP~~	~~38′ one-way~~	~~One-way~~	~~7′ (1 side)~~	~~Vert.~~	~~15′~~	~~Tree Well (24 sq ft)~~	~~30′—50′~~	~~5′ min. (2 sides)~~	~~optional~~

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~~One Way Street~~		~~11′ min. travel lane~~				~~or Planting Strip (4 ft. min. width)~~			
~~Type 5 GP Road~~	~~30′+ min. (depending on swale)~~	~~Two-ways 10′ min. travel lane~~	~~n/a~~	~~n/a~~	~~n/a~~	~~optional~~	~~n/a~~	~~optional~~	~~optional~~
~~Type 6 GP Alley~~	~~20′ min.~~	~~One-way 12′ min. travel lane~~	~~n/a~~	~~n/a~~	~~25′~~	~~n/a~~	~~n/a~~	~~optional~~	~~n/a~~
~~Type 7 GP Avenue~~	~~46′ min.~~	~~Two-ways 10′ min. travel lane~~	~~n/a~~	~~n/a~~	~~15′~~	~~Planting Strip (5 ft. min. width)~~	~~50′~~	~~n/a~~	~~8′ min. path(2 sides)~~

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1. ~~Right-Of-Way Design Modifications—Right-of-way narrowing devices including, but not limited to, curb extensions, bulbouts, neckdowns and corner bulges shall not be permitted unless approved by the Design Review Committee. Minimum right-of-way width may need to be increased to accommodate utilities. Thoroughfare types may be incorporated into a divided right-of-way design provided that the center median includes street trees and has a minimum width of 10' (width may include curb).~~
2. ~~Travel Lanes—Travel lane width is designed for low to moderate vehicular speeds (25 MPH or less); higher vehicular speeds may require design modifications. Travel lane width is inclusive of the gutter and up to the face of the curb.~~
3. ~~On-Street Parking—On-street parking may exist on both sides of Type 1, 2, 3 and 4 streets. On-street parking width is inclusive of the gutter and up to the face of the curb. For thoroughfares with high levels of parking usage and parking turnover (i.e. Type 1 GP Commercial Street) on-street parking lanes shall be increased to 8 feet.~~
4. ~~Curb Radii—Curb radii are applicable to the face of curb and apply to street intersections, not driveway intersections. Curb radii are designed for low vehicular speeds; higher vehicular~~

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~~speeds may require design modifications. Rear alley intersection may incorporate a "driveway" intersection design rather than a curbed street design if approved by the Department of Public Service.~~

5. ~~Street Trees – Street tree spacing may vary depending on tree species and development infrastructure. Street tree spacing shall be reviewed and approved by the Department of Parks at construction plan submittal. Street trees shall be installed prior to final plat approval and recordation. Tree wells are encouraged on the Type 1 GP Commercial Street.~~

6. ~~Bicycle Travel – The Gathering Place District should provide opportunities for bicycle travel. A bicycle path is an independent bicycle way that is to be provided off-street and outside of the vehicular thoroughfare. A bicycle route shall be provided within the vehicular thoroughfare where suitable for shared use of bicycles and vehicles traveling at low speeds and may be indicated with the use of "sharrows". A bicycle lane is a dedicated marked lane with a moderate-speed vehicular thoroughfare. (See Figure 280:2)~~

d. ~~Thoroughfare Design Flexibility. Gathering Place thoroughfare design standards may be modified to accommodate unique design elements that are project-specific provided that such modifications are made part of the official concept plan and are approved by the Planning Commission. The concept plan must show the proposed layout and corresponding right-of-way cross sections. Modified design standards shall not compromise thoroughfare right-of-way safety or function and must be able to provide appropriate locations for utilities. Modified design standards shall accommodate all required right-of-way components, shall provide appropriate pedestrian and vehicle mobility options and shall be designed to support adjacent future development.~~

~~Sec. 54-281a. – Type 1 streets.~~

~~The following streets within the City of Charleston are designated as Type 1 streets:~~

~~Clements Ferry Road~~

~~Folly Road on James Island~~

~~Maybank Highway on James Island~~

~~Sam Rittenberg Boulevard~~

~~King Street~~

~~This Type 1 designation is applicable only for sections of these streets that are located with the boundaries of a Gathering Place District.~~

~~Sec. 54-281b. – Type 2 streets.~~

~~The following streets within the City Of Charleston are designated as Type 2 streets:~~

~~Maybank Highway on Johns Island~~

~~West Ashley Circle, as identified in the Glenn McConnell Expressway Extension Study dated February 2002, on file in the Department of Planning and Neighborhoods, to include all future cross streets as identified in said study and all existing and future roads within one thousand (1000′) feet of the intersection of Glenn McConnell Parkway and Bees Ferry Road.~~

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~~Folly Road in West Ashley~~

~~Albemarle Road~~

~~Savannah Highway~~

~~Wesley Drive~~

~~St. Andrews Boulevard~~

~~Old Towne Road~~

~~Ashley River Road~~

Sec. 54-281. - Rooftop uses above height limit.

Rooftop uses are permitted above the height limit, provided that such uses are not residential or office in nature or accessory to residential or office uses, and provided further, the spaces for such uses are open air. Shade structures or other types of partial protection from the elements are allowed.

Sec. 54-282. - Off-street parking.

There are no requirements for off-street parking in the ~~Gathering Place~~ District.

Sec. 54-283. **- On-street parking.** ~~- Urban design requirements.~~

All new streets in the District shall incorporate on-street parking. Placement of on-street parking is subject to approval of the Technical Review Committee.

~~a. Each building must front on a thoroughfare~~.

~~b. Setback and height. Design requirements within the Gathering Place District are based upon the type of street a lot or building area abuts. Setback and height requirements, per thoroughfare type, are as follows:~~

~~Thoroughfare Type~~	~~Setback[5]~~	~~Height[1, 4]~~	~~Frontage Ratio[2]~~
~~Type 1 GP Commercial Street~~	~~0 – 5′~~	~~30′ and 2 story min.[3] 65′ or 6 story max.~~	~~85% min.~~
~~Type 2 >GP Mixed Use~~	~~0 – 5′~~	~~55′ max. 65′ max. for unoccupied architectural features or 4~~	~~85% min.~~

~~Street~~		~~story max., whichever is shorter~~	
~~Type 3~~ ~~GP Small Street~~	~~0—10′~~	~~3½ stories~~	~~70% min.~~
~~Type 4~~ ~~GP One Way Street~~	~~0—10′~~	~~3½ stories~~	~~70% min.~~
~~Type 5~~ ~~GP Road~~	~~0—20′~~	~~35′ max.~~	~~n/a~~
~~Type 6~~ ~~GP Alley~~	~~n/a~~	~~35′ max.~~	~~n/a~~
~~Type 7~~ ~~GP Avenue~~	~~25′ min.~~	~~65′ max.~~	~~n/a~~

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1. ~~The maximum height granted for properties in a FEMA flood zone shall be the height allowed per street type measured from base flood elevation, provided that the area below base flood elevation is floodproofed in nonresidential buildings. Ground floor parking shall count as a story.~~
2. ~~The Frontage Ratio is the amount of building frontage as a proportion of the front property line. Utility easements, required buffers, grand trees (including grand tree protective zones), driveways and sidewalks shall be excluded from the building frontage ratio calculations.~~
3. ~~All buildings fronting a Type 1 or Type 2 street must have a minimum of two occupied floors.~~
4. ~~For those Gathering Place developments located with an Old City Height District, the maximum and minimum requirements for the Old City Height District shall apply instead of the maximum height requirements in this section.~~
5. ~~Building setbacks shall be measured from the street right-of-way. Buildings, including attached units in a continuous row, may be sited outside the required setbacks, where necessary, for the preservation of natural features and grand trees (including grand tree protective zones) subject to approval by the Zoning Administrator.~~

Sec. 54-284. - ~~Parks and~~ **O**~~o~~pen **S**~~s~~pace.

Each Development Plan in the District shall include Open Space intended for resident and public use. ~~Gathering Places shall include open space for community use, which~~ **Open Space** must constitute a minimum of **ten (**10%**) percent** of the gross highland acreage of the **Development Plan.**~~gathering place.~~

A minimum of two (2) different types of Open Space, the types of which are outlined below, shall be incorporated in every Development Plan.

A minimum of twenty five (25%) percent of the Open Space shall be vegetated with either preexisting vegetation or native plantings.

Unless dedicated to and accepted by a public entity, Open Space shall be maintained by a Property Owner's Association.

The following ~~parks and~~ open space types are permitted within **the District**~~Gathering Places~~:

Neighborhood Greens—Open green spaces intended to serve as the social center of the community and provide a location for civic activities and outdoor community functions. Neighborhood greens shall:

- Be predominantly planted areas, but may have some paved surfaces;
- Be a minimum of ~~20,000~~**10,000** square feet; ~~and~~
- Be centrally located within the **Development Plan**~~gathering place~~.

Plazas/Squares**/Pocket Parks**—**Partly e**~~E~~nclosed spaces that are urban in nature and designed to serve as meeting places for area residents and workers. Plazas**,** ~~and~~ squares **and pocket parks** shall:

- Be predominantly paved surfaces, but may have some planted areas;
- Include pedestrian lighting and pedestrian-level details, such as variations in paving types;
- Be landscaped and incorporate amenities such as benches, fountains, monuments, and formal or informal gardens;
- Be a minimum area of 1,000 square feet;
- Be located within denser, more urban areas of the **Development Plan**~~gathering place~~, either at the intersection of streets or within a developed block;
- Be **fronted by adjacent buildings.** ~~mostly enclosed by building frontages;~~

Neighborhood Parks—Large open areas designed to provide recreational facilities and spaces for the entire **Development Plan**~~gathering place~~, or smaller green spaces designed to serve smaller areas within the **Development Plan**~~gathering place~~. These parks may be designed as part of a Neighborhood Green, and shall:

- Contain grassy fields, playground equipment, designated sports facilities, or picnic areas;
- Be landscaped throughout;
- Be designed for active and passive recreational purposes;
- Be a minimum area of ~~40,000~~**20,000** square feet**, or 5,000 square feet if the gross acreage of the Development Plan is less than five (5) acres**;
- Be directly connected to any bicycle and pedestrian network**;**
- **May include tree save areas with minimal improvements such as trails, benches and observation decks.**

Sec. 54-285**a**. - ~~Site~~**Development** ~~p~~**P**lan~~s~~.

Property in the District shall be developed in accordance with an approved Development Plan.

A Development Plan is a general plan for an area within the District that delineates the streets, uses, Open Space, connections, incentive options, density, height and the relationship of proposed uses to adjacent properties.

Each owner shall include all their acreage within the mixed use center in one (1) Development Plan. Owners are encouraged to work together with other owners in the same mixed use center to create one (1) comprehensive Development Plan for the entire mixed use center.

A Development Plan shall be presented at a public hearing of the Planning Commission and is subject to the approval of the Planning Commission.

The Planning Commission shall review all components of the Development Plan, however, the Planning Commission may not modify the maximum density as allowed by ordinance or the height. The height as set out on the Development Plan is subject to review and modification by the Design Review Board.

An approved Development Plan identifies the general location of streets, Open Space, connections, and incentive options (as applicable). An approved Development Plan fixes the land uses, maximum density and height, (unless the height is subsequently altered by the Design Review Board).

A Development Plan must create a mixed use center with a focus on publicly accessible Open Space and integrated mixed land uses in appropriate areas to create a walkable urban environment. The separation of land uses into monofunctional buildings is discouraged.

Discussions with staff and preapplication at Technical Review Committee are strongly encouraged prior to submitting a Development Plan to the Planning Commission.

In addition to the information as may be required by Article 6 of this chapter, **a Development Plan**~~site plans for properties zoned Gathering Place~~ shall include the following:

Streets~~Types~~: ~~Each street on a site plan must be assigned a street type.~~**Each street shall be delineated and approximate widths indicated.**

Land Uses: ~~A range of uses shall be specified for each lot or building area of a site plan.~~**The land uses and how they relate to adjacent properties shall be delineated, including any off-street parking.**

~~Park/~~Open Space~~ Types~~: All ~~parks and o~~**O**pen ~~s~~**S**pace must be identified as to **minimum square footage,** type and **general** location**.**~~, and the dimensions of each must be delineated.~~

Connections: All sidewalk, pedestrian, bicycle and building connections shall be delineated in conceptual form showing both the internal property and any adjacent properties.

Incentive Options: All incentive options being used shall be indicated and generally located on the Development Plan.

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Density and Height: The maximum residential density and maximum height shall be included. The minimum non-residential total gross square footage, separated by land use, shall be included.

Traffic Study Submittal: A copy of the required traffic study by Article 6 of this chapter shall be submitted along with the Development Plan.

Minor modifications to an approved Development Plan may be made by the Zoning Administrator. Minor modifications include shifts in location of up to thirty (30) feet. All other changes shall be considered substantial. Any substantial changes to an approved Development Plan shall require the approval of the Planning Commission.

A subdivision of a parcel in the District is not permitted if the subdivision would result in any new parcel having less than three (3) acres of useable highland unless a Development Plan has been approved for the parent parcel proposed to be subdivided. All subdivisions s hall be in accordance with the approved Development Plan and all applicable sections of the Zoning Ordinance.

Sec. 54-285b. - Bicycle parking.

Every building containing 10,000 or more square feet must provide an onsite enclosed and covered bicycle parking room or rooms that are secure and ventilated and which can accommodate: one (1) bicycle parking space per three (3) residential units, plus one (1) bicycle parking space for every twenty thousand (20,000) square feet of commercial use. Assisted living, nursing homes or other similar uses without full kitchens are exempt from this requirement. Spaces within dwelling units do not count toward the bicycle parking requirement. At minimum, one (1) bicycle parking room shall include a bicycle work stand, a basic set of bicycle repair tools and an air pump. The use of security cameras and/or security personnel is encouraged.

Bicycle racks must:

- **(a) Provide at least two (2) points of contact for a standard bicycle frame (racks that are designed to support a bicycle primarily by a wheel are not allowed).**
- **(b) Have rounded surfaces and corners.**
- **(c) Be coated in a material that will not damage the bicycle.**
- **(d) Be securely anchored or fastened to a hardscape surface.**

Bicycle parking space dimensions must:

- **(a) Accommodate a wide range of bicycle frame types and provide adequate space between bikes, especially those with wider handlebar stems. Each bicycle parking space shall be sufficient to accommodate a bicycle at least six (6) feet in length and two (2) feet wide.**
- **(b) An aisle or other space shall be provided for bicycles to enter and leave the facility.**

Lighting and site materials must:

- **(a) Be provided such that all bicycle parking rooms are thoroughly illuminated and visible from adjacent sidewalks, parking lots or buildings during hours of use.**
- **(b) Bicycle parking shall be located on a hard surface material such as concrete, asphalt, brick or other stable surface to which the rack can be securely fastened.**
- **(c) Signage shall demarcate the bicycle parking and be placed in a visible and highly used location to inform users of the system in place.**

Proximity to building entrances.

- **(a) Bicycle parking shall be located within close proximity to, or inside, the main building.**

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(b) Bicycle parking shall be located no further than fifty (50) feet away from the building's main or secondary entrance.

(c) Buildings with entrances in close proximity of each other may combine each respective bicycle parking requirement into one (1) parking room if it is located no more than fifty (50) feet away from the main or secondary entrance of each building it is intended to serve.

Sec. 54-285c. - Aquatic Bench.

An aquatic bench is required for all new wet detention basins in the District. An Aquatic Bench is a shallow area just inside the perimeter of a water body where aquatic and wetland plants exist to protect water quality, stabilize the bank, sustain ecosystems and offer aesthetic appeal. The aquatic bench shall extend a minimum of ten (10) feet inward from the normal shoreline around the entire perimeter of the pond at a 10:1 slope. A variety of at minimum ten (10) different plant species, of which at least five (5) are emergent species, shall be planted. One species shall not contribute to more than thirty (30) percent of the total vegetation of the aquatic bench. The aquatic bench shall extend up to a maximum depth of eighteen (18) inches below the normal pool water surface elevation.

Sec. 54-285d. - Setbacks.

Buildings shall be set back in line with existing or approved adjacent projects or placed as near to a right-of-way as appropriate. Setbacks shall be subject to review and approval by the Design Review Board.

Sec. 54-285e. - Incentive Options.

Density bonuses are available upon the implementation of the Incentive Options identified in Table 1: Incentive Options for Bonus Density.

The maximum bonus density allowable per Development Plan is thirty two (32) units per highland acre, for a total maximum density possible of 45.2 units per highland acre.

Table 1: Incentive Options for Bonus Density

	Incentive Options	Description	Additional Density units/acre	Maximum Additional Density units/acre
1	Comprehensive Development Plan	Development Plan Amongst Unaffiliated Owners	4	4
2	Workforce Housing	Workforce Housing 60% AMI (greater of 10 units or 5%) Workforce Housing 80%, 120% AMI (greater of 15 units or 10%)	8 6	24 18
3	Mobility + Transportation	Transit Service Car Share Program	20 4	20 4

4	Open Space	Increase Open Space by 5%	4	12
5	Mixed Use	Increase Mixed Use by 5%	2	4
6	Community Space	Provide Community Meeting Room Space	2	2
7	Street Connectivity	Connect Site to Existing Adjacent Commercial	6	6
8	Sidewalk Improvements	Provide Adequate Off-Site Sidewalk Connections	6	6
9	Stormwater Management	Decrease Stormwater Runoff Preserve or Create Riparian Buffer(s) Preserve or Create Non-Riparian Buffer(s)	4 6 4	4 6 4

General requirements

(a) For each building on a Development Plan utilizing bonuses, any combination of the nine (9) Incentive Options is allowed, up to the maximum additional density per option as indicated in Table 1. For example, one (1) Development Plan may utilize "Incentive Option #4 Open Space" up to three (3) times earning up to 12 units/acre bonus if Open Space is increased by 15%- (above the required 10% Open Space, for a total of 25% Open Space).

(b) All Incentive Options not directly incorporated into another, future building, shall be in place and functioning before a certificate of occupancy will be issued for any building included on the Development Plan.

(c) All Incentive Options shall remain in place and be maintained for the life the Development Plan.

(d) The failure to maintain Incentive Options will subject buildings in the Development Plan to having their certificates of occupancy revoked.

(e) If the density bonuses originally set out on an approved Development Plan cannot be achieved or maintained, the owner of buildings within the Development Plan shall be required to substitute Incentive Options to earn all density bonuses necessary in order for a certificate of occupancy to be issued and thereafter maintained.

(f) An owner availing himself to the use of Incentive Options shall place covenants on record authorizing the City, among other things, to enforce the covenants, to include at the City's option the right to implement the Options and charge all costs thereof to the owners of lands subject to the Development Plan, secured by a lien on the lands.

1) Comprehensive Development Plan. A comprehensive plan for an entire District is best achieved if all owners agree to be part of one (1) Development Plan.

Requirements: Development Plan Amongst Unaffiliated Owners
For four (4) points, two (2) or more unaffiliated owners of contiguous property in the District subject their properties to one (1) Development Plan.

2) Workforce Housing. Housing affordability is important to protect.

Requirements: Workforce Housing
Provide onsite residential units qualifying as Owner Occupied Workforce Housing Units or Rental Workforce Housing Units as defined by the U.S. Department of Housing and Urban Development, or its successor, and adjusted for household size by the City of Charleston Department of Housing and Community Development, or its successor.

For eight (8) points, provide at affordable rents Owner Occupied Workforce Housing Units for Qualified Households whose Household Income does not exceed sixty (60%)

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percent of AMI and/or Rental Workforce Housing Units for Qualified Households whose Household Incomes do not exceed sixty (60%) percent of AMI in an amount equal to the greater of ten (10) units or five (5%) percent of the number of residential units in each building of the approved Development Plan, rounded up to the next whole number. At least twenty five (25%) percent of the workforce housing units, rounded up to the next whole number, shall have more than one (1) bedroom.

AND/OR

For six (6) points, provide at affordable rents Owner Occupied Workforce Housing Units for Qualified Households whose Household Income does not exceed one hundred twenty (120%) percent of AMI and/or Rental Workforce Housing Units for Qualified Households whose Household Income does not exceed eighty (80%) percent of AMI in an amount equal to the greater of fifteen (15) units or ten (10%) percent of the number of residential units in each building of the approved Development Plan, rounded up to the next whole number. At least twenty five (25%) percent of workforce housing units, rounded up to the next whole number, shall have more than one (1) bedroom.

General requirements

(a) The workforce housing units shall be integrated and intermixed within the building, and not isolated to a specific area or floor that is separate from market rate units. If there are multiple floors of residential units, the workforce housing shall be spread out and shall not all be located on the same floor or specific area.

(b) Exterior finishes and general quality of workforce housing units shall be similar to the building's market rate units.

(c) The upkeep of workforce rental units shall be of the same quality as the upkeep of the other market rate rental units of the development.

(d) Prior to the issuance of a certificate of occupancy for any portion of the development, the owner thereof shall identify, in writing, to the City of Charleston Department of Housing and Community Development, or its successor, the units designated as Owner Occupied Workforce Housing Units and/or Rental Workforce Housing Units.

(e) Prior to the issuance of a certificate of occupancy for any portion of a development, the owner shall execute covenants identifying the Owner Occupied Workforce Housing Units and/or Rental Workforce Housing Units and restricting such units to occupancy, and if applicable ownership, by Qualified Households, and submit a copy of the recorded covenants to the City of Charleston Department of Housing and Community Development, or its successor.

(f) As for the Owner Occupied Workforce Housing Units, the covenants shall identify the Initial Maximum Allowable Sales Price, and provide that the Initial Maximum Allowable Sales Price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the City of Charleston Department of Housing and Community Development, or its successor, a verified income report of Household Income of all members of the household. The covenants shall require notice to the City of Charleston Department of Housing and Community Development, or its successor, of any transfer of the Owner Occupied Workforce Housing Units and verification that the purchaser is a Qualified Household. Owner Occupied Workforce Housing Units shall be subject to resale restrictions for a period of ninety (90) years.

(g) As for Rental Workforce Housing Units, the covenants shall require the owner to provide proof to the City of Charleston Department of Housing and Community Development, or its successor, at inception and on an annual basis, that no more than

Fair Market Rent is being charged for the unit(s), and verified income reports of Household Income of all rental occupants. Rental Workforce Housing Units shall be subject to these restrictions for a period of thirty (30) years.

(h) The covenants shall accord the City of Charleston, or its assignee, rights to enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events be subject to approval by corporation counsel.

3) Mobility and Transportation. Sustainable communities welcome, encourage and offer a variety of transportation options. Walking, bicycling, public transit and car sharing programs require significantly less space per traveler than do single ownership automobiles. When a variety of transit, bicycle parking options, car shares and other alternative methods of transportation are available, a reduction in vehicular parking can be justified.

Requirements: Transit Service
For twenty (20) points, provide a transit stop and either public or private transit service to and from the site.

General requirements

(a) Transit stop design. A transit stop shall consist of pedestrian accommodations including seating, a covered waiting area for transit customers, and reinforced pavement for the path of the transit vehicle. The design of the transit stop shall be subject to the approval of the Design Review Board if on private property or the Design Review Committee if in the public right-of-way.

(b) Transit stop location. The stop location shall be mutually agreed upon by the owner, the Technical Review Committee and the transit provider. The stop shall ideally be centrally located along street frontage. However, the stop may be located up to 400 feet from any edge of the Development Plan if located on the same side of street as the majority of the Development Plan acreage, or if across the street, a suitable pedestrian crossing is provided as determined by the Planning Commission. The owner shall provide proof of permission from the applicable party to locate the stop off-site and to thereafter maintain it.

(c) Transit service. Regular service, either public or private, shall be available seven (7) days a week. On weekdays, hourly or more frequent interval service must be provided to and from the transit stop from 6:00am-9:00am and 3:30pm-7:30pm. Service must be provided to the City's largest areas of employment and education as approved by the Planning Commission. A holiday schedule is allowable.

(d) Longevity. The transit stop and service to and from the stop shall remain in place and be maintained for the life the Development Plan or until the Planning Commission determines either a public transit provider offers a comparable service or the service is no longer viable.

Requirements: Car Share Program
For four (4) points, provide and maintain a Car Share Program onsite with appropriate signage and car capacity to fill at minimum four (4) vehicle parking spaces with four (4) cars. The Car Share Program shall have preferred parking in easily accessible areas and

is encouraged to be open to the public. Owners are allowed and encouraged to partner with a 3rd party provider that specializes in offering a car share program.

4) Open Space. High quality public outdoor spaces are important attributes of a thriving community. As a community grows, so too does the demand for additional outdoor space. Quality public places are thoughtfully designed to be accessible, comfortable, sociable and to provide a variety of activities. A quality outdoor public space provides a much needed alternative to the surrounding urban development.

Requirements: Increase Open Space by 5%
For four (4) points, increase the Open Space requirement based on the Development Plan's gross highland acreage by five (5%) percent more.

5) Mixed Use. A tool for cohesive and lasting community building, mixed use nodes link working, living, and relaxing and can also emphasize an area that is shared by all members of a community. Mixed-use development provides ready access to places and services required on a day-to-day basis.

Requirements: Increase Mixed Use by 5%
For two (2) points, increase mixed use by decreasing the largest land use category (residential or non-residential), by five (5%) percent of the total gross square footage.

6) Community Space. Public indoor space where the community can gather.

Requirements: Provide Community Meeting Room Space
For two (2) points, provide a meeting room for the community to access. This room shall not be counted as residential or accessory to residential.

General requirements
(a) The room shall be at minimum five hundred (500) square feet in size.
(b) The room shall be an appropriate shape for the use.
(c) The room shall be indoor and conditioned.
(d) The room shall have tables, seating and other meeting amenities, as appropriate.
(e) The room shall be available, free of charge, to anyone who resides within three (3) miles of any edge of the Development Plan using it for a recognized civic purpose.

7) Street Connectivity. To integrate infill development into a neighborhood, connections to existing amenities such as commercials zones are important.

Requirements: Connect Site to Existing Adjacent Commercial
For six (6) points, provide a direct connection to adjacent, off-site commercial centers with a pedestrian friendly two-way access street.

General requirements
(a) The street shall have a pedestrian oriented design.

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(b) The sidewalks shall be a minimum of six (6) feet wide, except sidewalks fronting commercials uses shall be a minimum of eight (8) feet wide. The Technical Review Committee may allow minor adjustments to widths to accommodate field conditions.
(c) Street trees shall be planted, as determined by the Technical Review Committee.
(d) A planting strip to separate vehicles and pedestrians shall be in place, as determined by the Technical Review Committee. A planting strip with trees shall be a minimum of five (5) feet wide or streets with commercial uses shall use tree wells or other mechanisms to maintain the urban composition. The Technical Review Committee may allow minor adjustments to these requirements to accommodate field conditions.
(e) On street parking shall be provided as appropriate and is required on a street fronted by adjacent buildings with commercial, as determined by the Technical Review Committee.
(f) Crosswalks and pedestrian signals, as well as bicycle boxes and bicycle signals shall be implemented, as determined by the Technical Review Committee.
(g) Street lighting shall be installed, as determined by the Technical Review Committee.

8) Sidewalk Improvements. Enhancing pedestrian access is key to increasing walkability and encouraging revitalization around infill developments.

Requirements: Provide Adequate Off-Site Sidewalk Connections
For six (6) points, create, rebuild and/or improve off-site sidewalks and/or locate on a site where existing off-site sidewalks are adequate.
General requirements
(a) Sidewalks deemed to be adequate off-site connections or sidewalks to be created, rebuilt or improved to provide necessary off-site connections are at the determination of the Planning Commission.
(b) The sidewalks shall be a minimum of six (6) feet wide, except sidewalks fronting commercials uses shall be a minimum of eight (8) feet wide where possible, as determined by the Technical Review Committee.
(c) Street trees shall be planted, as determined by the Technical Review Committee.
(d) Crosswalks and pedestrian signals, as well as bicycle boxes and bicycle signals shall be implemented, as determined by the Technical Review Committee.
(e) Street lighting shall be installed, as determined by the Technical Review Committee.

9) Stormwater Management. Urban landscapes often feature expansive areas of impervious surfaces. Management of stormwater as close to its source as possible by way of low impact development infiltration techniques recharges the water table via infiltration and reduces stormwater runoff. The implementation of low impact development techniques, including minimizing directly connected impervious areas (MDCIA), result in reduced runoff peaks, volumes, and pollutant loads from urbanizing areas. Such reductions are critical for the coastal areas that experience varying weather influences such as substantial tides, tropical storms, land subsidence and sea level rise that cause catastrophic flooding. To effectively disconnect impervious areas, the areas should be drained to pervious areas such as landscaped areas or natural buffer areas or the utilization of porous drainage conveyances where appropriate. When stormwater peak flows and volumes generated from urbanizing areas are decreased, the sizing requirements for downstream stormwater conveyance facilities are also reduced reducing the potential for flooding issues and the demand on City infrastructure. Low impact development systems recreate the predevelopment site hydrology through site design

techniques that promote storage, infiltration, evaporation, and treatment of stormwater runoff onsite. Low impact development can be both an aesthetically pleasing and a functional way of managing stormwater at the source.

Requirements: Decrease Stormwater Runoff
For four (4) points, design, construct, and maintain low impact development stormwater management systems that handle rainfall onsite, and prevent the offsite discharge of at least one (1) inch of stormwater runoff from the site's total area.

For purposes hereof, impervious surfaces means a surface that does not allow water to penetrate. Examples of impervious surfaces include asphalt, rooftops and concrete. For purposes hereof, all other surfaces shall be considered pervious surfaces.

The design, construction and maintenance of the system shall adhere to the recommendations of Coastal SC Low Impact Development Guide. (hereafter the "Guide"), a copy of which is available in the Department of Planning, Preservation and Sustainability (hereafter the "Department"). Approved systems include, but are not limited to, bioretention cells, permeable pavement, stormwater infiltration, vegetated green roofs, rainwater harvesting and impervious surface disconnection.

General requirements

(a) The design of all low impact development systems shall follow the specifications and guidelines listed in the Guide, to include specifications pertaining to contaminated soils and guidelines for plant selection and installation. Runoff reduction rates provided for the Coastal Zone Credit Approach as outlined in the Guide will be recognized for meeting the prevention of the above offsite discharge requirement.

(b) All low impact development systems shall have appropriate stormwater educational signage, approved by the Department and any applicable review boards, displayed in a prominent location.

(c) Appropriate pet waste disposal stations to prevent pet waste from entering stormwater runoff shall be implemented.

(d) All parking areas shall be swept annually, or as may be appropriate for the selected system.

(e) Owners availing themselves of this option shall be required to sign a Maintenance and Operation Agreement which, among other things, will require continued maintenance of the system and a yearly inspection and report on the condition and functionality of the system by an engineer licensed by the State of South Carolina, the cost of which shall be borne by the property owner. Any deficiencies revealed by the inspection shall be corrected in a timeframe established by the City. The Agreement shall be in recordable form, and at the option of the City, may be recorded in the RMC Office for Charleston County. The City may choose to perform additional inspections at its discretion at no cost to the property owner.

Requirements: Preserve or Create Riparian Buffer(s)
For six (6) points, preserve or create, and maintain, a riparian buffer within the Development Plan. A Riparian Buffer is a strip of forested or vegetated land bordering a body of water. Riparian buffers have vegetation with strong root systems to stabilize the bank of a water body, preventing erosion and filtering out pollutants. The benefits of riparian buffers are maximized when there is diffuse flow of stormwater runoff, which

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also provides flood control. Other, often overlooked, benefits include providing habitat for fish and wildlife, protecting property, moderating water temperatures and adding scenic value to communities.

General requirements

(a) The buffer shall be at minimum fifty (50) feet wide and span along the entire length the site is adjacent to a water body.

(b) The buffer shall be divided into two (2) zones. The thirty (30) feet closest to the water (zone 1) must remain undisturbed. The outer twenty (20) feet (zone 2) can be managed vegetation. Where planting is needed, native vegetation is encouraged.

(c) Diffuse flow is required on all buffers and can be achieved using a level spreader, as defined in The Guide. Diffuse flow must be achieved before stormwater runoff enters the riparian buffer from any new ditch or manmade conveyance. Diffuse flow refers to overland water flow that is spread out over the landscape, not concentrated into a defined channel. Diffuse flow maximizes the benefits of the buffer.

(d) Appropriate pet waste disposal stations to prevent pet waste from entering the riparian buffer shall be implemented.

(e) All parking areas shall be swept annually, or as may be appropriate for the selected system.

(f) Owners availing themselves of this option shall be required to sign a Maintenance and Operation Agreement which, among other things, will require continued maintenance of the system and a yearly inspection and report on the condition and functionality of the system by an engineer licensed by the State of South Carolina, the cost of which shall be borne by the property owner. Any deficiencies revealed by the inspection shall be corrected in a timeframe established by the City. The Agreement shall be in recordable form, and at the option of the City, may be recorded in the RMC Office for Charleston County. The City may choose to perform additional inspections at its discretion at no cost to the property owner.

Requirements: Preserve or Create Non-Riparian Buffer(s)

For four (4) points, design, construct, and maintain a non-riparian buffer within the Development Plan.

General requirements

(a) The buffer shall be at minimum twenty (20) feet wide and span at least fifty (50) feet in length. Public Service may make minor adjustments to these requirements to accommodate field conditions.

(b) Diffuse flow is required on all buffers and can be achieved using a level spreader, as defined in The Guide. Diffuse flow must be achieved before stormwater runoff enters the riparian buffer from any new ditch or manmade conveyance. Diffuse flow refers to overland water flow that is spread out over the landscape, not concentrated into a defined channel. Diffuse flow maximizes the benefits of the buffer.

(c) Appropriate pet waste disposal stations to prevent pet waste from entering the buffer area shall be implemented.

(d) All parking areas shall be swept annually, or as may be appropriate for the selected system.

(e) Owners availing themselves of this option shall be required to sign a Maintenance and Operation Agreement which, among other things, will require continued maintenance of the system and a yearly inspection and report on the condition and functionality of the system by an engineer licensed by the State of South Carolina, the cost of which

shall be borne by the property owner. Any deficiencies revealed by the inspection shall be corrected in a timeframe established by the City. The Agreement shall be in recordable form, and at the option of the City, may be recorded in the RMC Office for Charleston County. The City may choose to perform additional inspections at its discretion at no cost to the property owner.

Section 2. Article 2, Part 3, Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting "MU-3/C" and deleting "GP" in the top cell of the column titled "GP".

Section 3. Sec. 54-201, Base zoning districts, of Chapter 54 of the Code of the City of Charleston, subsection s. is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~strikethrough~~):

s. ~~Gathering Place, GP~~**Mixed Use 3, Centers, MU-3/C** District. The ~~GP~~**MU-3/C** district is **incentive based and** intended to promote mixed-use town, village, and neighborhood centers around the city at major intersections or along traditional commercial streets **experiencing high travel volumes and providing important connectivity**. Diverse housing, mixed-use, pedestrian oriented development are permitted within this district.

Section 4. Article 3, Part 1, Sec. 54-301 Table 3.1 Height, Area and Setback Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting "and GP" within the cell in the Zone District Designation column titled "MU-1, MU-1/WH, MU-2, MU-2/WH and GP".

Section 5. Article 3, Part 1, Sec. 54-301 Table 3.1 Height, Area and Setback Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding a new zoning district row underneath "UP" titled "MU-3/C", and by inserting "NR" within the following columns in the "MU-3/C" zoning district row: Front and Rear Setback Minimum Depths Total; Front and Rear Setback Minimum Depths Front; Front and Rear Setback Minimum Depths Rear; Side Setbacks- Minimum Widths Total; Side Setbacks- Minimum Widths South/West; Side Setbacks- Minimum Widths North/East; Max. Height Limits Fences/Walls; Accessory Bldgs. to Residences Setback Required From Front Street; Accessory Bldgs. to Residences Setback Required From Side Street; Accessory Bldgs. to Residences Setback Required Add't Dwelling Distance from Front Lot Line.

Section 6. Article 3, Part 1, Sec. 54-301 Table 3.1 Height, Area and Setback Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting "NA" within the following columns in the "MU-3/C" zoning district row: Minimum Lot Area per Family in square Feet-Type Dwelling Unit 1-Fam.; Minimum Lot Area per Family in square Feet-Type Dwelling Unit 2-Fam.; Minimum Lot Area per Family in square Feet-Type Dwelling Unit Multi-Fam.; Maximum Percent of Lot Occupied by Buildings; Max Height Limits Structures.

Section 7. Article 3, Part 1, Sec. 54-301 Table 3.1 Height, Area and Setback Regulations of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the following new footnote and adding "25" in the Zone District Designation column in the "MU-3/C" zoning district row:

"25. For density information, see Sec. 54-274."

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Section 8. Article 2, Part 11, Sec. 54-268 Designation of Design Review District, review authority, scope of authority and exemptions, of Chapter 54 of the Code of the City of Charleston subsection b. is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~strikethrough~~):

b. The Design Review District shall include all land which lies within the rights-of-way and all properties which abut each side of the rights-of-way within the ~~Gathering Place (GP)~~**Mixed Use 3- Centers (MU-3/C)** zoning district.

Section 9. Article 3, Part 8, Sec. 54-347 Landscape Buffer Requirements, of Chapter 54 of the Code of the City of Charleston subsection d.1. is hereby amended to read as follows (new text in **bold and double underlined** and deleted text with ~~strikethrough~~):

1. Design Review District. In order to allow for new buildings to relate harmoniously with the streetscape and to other structures in the vicinity, when deemed appropriate by the Design Review Board, buildings may encroach into Class I Road Buffers (Buffer Type A), Class II Road Buffers (Buffer Type C), and Class VI Road Buffers (Buffer Type H). In ~~Gathering Place~~**Mixed Use- 3/Centers** Districts, the Design Review Board may allow buildings to encroach into any street frontage buffer, except for properties along I-26, I-526, the James Island Connector, and the Glenn McConnell Parkway. These exemptions shall not apply to parking lots or any other vehicular use areas.

Section 10. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2016,
and in the ____th Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Clerk of Council

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