

Ordinance 2015-141
Ratified October 13, 2015

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-263, THE DANIEL ISLAND MASTER PLAN ZONING TEXT, TO CREATE THE DANIEL ISLAND RESIDENTIAL ISLAND (DI-RI) ZONE, WHICH INCLUDES STANDARDS MODIFIED FROM THE EXISTING DANIEL ISLAND RESIDENTIAL (DI-R) ZONE.

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

Section 1. Section 54-263 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the text shown below:

- 3.2(8) Daniel Island Residential Island Zone (“Daniel Island Residential Island” or “Daniel Island Residential Island Zone”) (DI-RI)
- In Daniel Island Residential Island Zones, land may be used and buildings erected, altered, or used for the following permitted uses (See Section 4.6 for lot, building, and parking regulations):
- 3.2(8)(1) One-family detached dwellings, attached dwellings, townhouses, two-family dwellings, for lease apartments in accessory buildings, and multiple dwellings.
- 3.2(8)(2) Marinas and Publicly Accessible uses, on the Public Waterfront portions of the Wando River Frontage.
- 3.2(8)(3) Parks, playgrounds, golf courses, clubhouses and outdoor athletic facilities, except that as to facilities proposing outdoor lighting, the Board of Zoning Appeals-Zoning shall approve as an exception such outdoor lighting if, in its judgment, any adverse effects of such lighting on surrounding property are appropriately minimized.
- 3.2(8)(4) Non-commercial horticultural activity, including gardens or greenhouses.
- 3.2(8)(5) Civic uses, which are to be located proximate to neighborhood focal points. Parking lots may be provided pending approval by the Daniel Island Architectural Review Board.
- 3.2(8)(6) Static electric transformer station, water or sewage pumping stations, gas regulator station, or telephone switching station. Such stations shall be permitted only as an exception where the Board of Zoning Appeals-Zoning, after review, finds that such

station is essential for service of the immediate area, will be enclosed within an appropriate woven wire or solid fence, will be suitably landscaped and no storage of vehicles or equipment will occur.

- 3.2(8)(7) Community parking lots which are graded and finished so as to provide a dustless and well-drained permanent parking surface for the volume and type of vehicles intended to be served. Surface material for non-hard-surfaced lots shall be subject to the approval of the City Engineer. In addition, each parking lot shall be enclosed with an ornamental fence, masonry wall or evergreen screen maintained at a height of not less than five and one-half (5.5) feet, except within fifteen (15) feet of the intersection of street lines, where the height shall not exceed three (3) feet. Such fence, wall, or screen shall be maintained in good condition and shall comply with front and side yard requirements along the street sides of a Corner Lot.
- 3.2(8)(8) Accessory uses, incidental to any of the principal uses above listed, including quarters for servants employed on the premises, private garages and carports not attached to the principal building, tool sheds and similar storage facilities, gazebos, private swimming pools adequately fenced, and the like.
- 3.2(8)(9) Sewage disposal and water pumping facilities, if the Board of Zoning Appeals-Zoning finds, after review, that the facility is essential for service of the immediate area, will be enclosed with an appropriate woven iron or solid fence, will be suitably landscaped, and no storage of vehicles or equipment will occur.
- 3.2(8)(10) Home occupations may be established in a dwelling unit pursuant to the requirements listed in Sec. 54-211 of the City of Charleston Zoning Ordinance.”

“4.6 Daniel Island Residential Island

- 4.6(1) Notwithstanding the provisions of Sec. 54-352 and 54-353 (One-family Attached Dwellings) of the Zoning Ordinance of the City of Charleston, (a) more than 6 single-family attached dwellings may be constructed or attached together in a continuous row; and (b) fences or walls are not required to separate such units.
- 4.6(2) All types of dwelling units may be provided, except mobile homes.
- 4.6(3) There shall be no minimum and maximum net acreages for each Daniel Island Residential Island Parcel. Lots with less than

thirty (30) feet frontage may have access to a street and an alley, unless they are considered Special Situation Lots, front on a public open space or back up to a public open space abutting the critical area.

- 4.6(4) Each lot shall include a Front Setback Line, established at the time the lot is platted and shown on the recorded plat, except that Front Setback Lines shall not be required on flag lots and oddly shaped lots resulting from unusual topography. Front Setback Lines shall not serve as a build-to line.
- 4.6(5) Building Height – principal buildings shall not exceed a height of fifty-five (55) feet to the peak of the roof and forty-five (45) feet to the eaves, except that multi-family buildings shall be allowed a maximum height of sixty (60) feet to the peak of the roof (see definition for Height of Building). For accessory buildings, the height to the peak of the roof shall not exceed thirty-six (36) feet.
- 4.6(6) Fences and Walls – fences or walls with a height of between three feet six inches (3’6”) and five feet (5’) may be built within the side street Front Setback Zone on corner lots, and within the Front Setback Zone. Fences or walls no taller than 8 feet in height, with piers or posts no taller than 9 feet, may be built on interior side property lines or rear property lines.
- 4.6(7) Garage doors whose faces are less than ninety (90) degrees rotated from the street right-of-way shall be recessed under, and at least seven (7) feet behind, a front porch or front façade of the principal or accessory building. The total width of the garage door opening(s) shall not exceed twenty (20) feet.
- 4.6(8) Accessory buildings may be located closer to the front property line than the principal building, up to the platted Front Setback Line, provided the garage doors are no less than ninety (90) degrees rotated from the street right-of-way.
- 4.6(9) Stoops, stairs, bay windows, balconies, open porches, and roofs of the principal building may extend beyond the Front Setback Line up to the front property line. Non-habitable space may be allowed beyond the property line upon receipt of an encroachment permit from the City.
- 4.6(10) Rear Setback – The minimum rear setback for principal buildings is twenty (20) feet; for accessory buildings, the minimum rear setback is two (2) feet, or five (5) feet for lots served by an alley.

- 4.6(11) Side Setbacks
- 4.6(11)(1) Side yard setbacks for detached principal buildings shall be a minimum of three (3) feet with a combined total of twelve (12) feet. For lots bounded on a side by a street (corner lots), the Front Setback Line for the side street shall serve as the side setback.
- 4.6(11)(2) For accessory buildings, the minimum side setback shall be one foot six inches (1'6") provided, however, that the distance between said accessory building and an existing principal building on adjacent Special Situation Lots is not less than 10 feet, measured parallel to the fronting street.
- 4.6(12) Exceptions to Side Setback Regulations – On lots of 26 feet to 65 feet in width, a single-family detached home may be built as a Side Lot Line House. An accessory building to a Side Lot Line House may be located at the same side lot line as the house.
- 4.6(13) Visual Buffer Zone Setback – The minimum setback from the Visual Buffer Zone for principal and accessory buildings is ten (10) feet. Rear and side yards are allowed in the platted Visual Buffer Zone, but buildings and other land disturbance activities are prohibited. See Section 5.4 for specific Visual Buffer Zone standards.
- 4.6(14) Driveway and Garage Door Restrictions – No lot shall have more than one driveway for each dwelling unit on the lot, and no lot shall have more than two driveways. Driveways shall be no wider than 10 feet within the street right-of-way and may transition to a wider driveway within the Front Setback Zone, except that driveways shared between two lots may be 16 feet in width. Attached garages whose doors are less than 90 degrees rotated from the street shall not be wider than necessary for two cars. The driveway curb cut provisions of Section 6 Standards for Subdivision Streets, Blocks and Lots shall apply.
- 4.6(15) Lot Occupancy of Buildings – For principal buildings, the maximum lot occupancy for detached buildings is 50%; for attached buildings, the maximum lot occupancy is 70%.
- 4.6(16) Accessory Building Size Restrictions – The total footprint of accessory buildings on lots less than 2/3 acre (29,040 square feet) shall not exceed 750 square feet. On lots 2/3 of an acre or larger, the footprint of accessory buildings shall not exceed 1,000 square feet.
- 4.6(17) Parking – The minimum off-street parking requirement is one

space per dwelling unit; except that dwelling units deemed to be special needs housing by the Zoning Administrator shall only be required to provide a minimum of one space for every 4 units, and elderly housing shall only be required to provide a minimum of one space for every 6 units.

- 4.6(18) Mechanical equipment and waste containers above grade level may not be located in the Front Setback Zone and are to be screened from street view.”

Section 2. Section 54-263 6.1(11) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting text shown below with a double-underline:

- “6.1(11) In the DI-R and DI-RI zones, each street shall be platted with one or more Front Setback Lines, established at the time of platting and subject to Zoning Administrator approval. These lines shall be established at the time of preliminary plat submittal and shown on the final plat to be recorded. For single-family lots 65 feet or greater in width, the Front Setback Line shall be at least 10 feet from the street right-of-way. Front Setback Lines shall not be required on flag lots and oddly shaped lots resulting from unusual topography.”

Section 3. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2015, and in the _____ Year of the Independence of the United States of America

Joseph P. Riley, Jr., Mayor

ATTEST:

Vanessa Turner-Maybank
Clerk of Council