



GUIDE TO CONDITIONAL USE PERMITS

DEPARTMENT OF
PLANNING AND ZONING

WHAT IS A CONDITIONAL USE PERMIT?

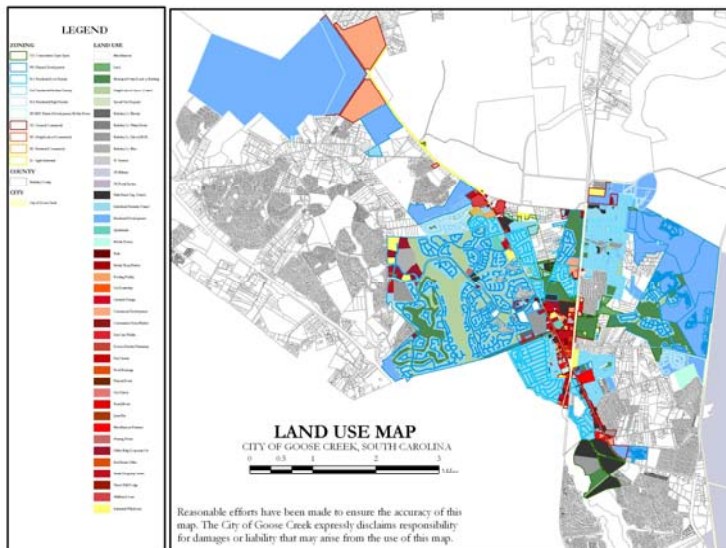
According to Section 151.028 of City Code, a conditional use is defined as, “a use not otherwise permitted in a district, and which would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location, relation to the neighborhood, and subject to the conditions noted, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare of the City. (Reference Section 151.171 (C)).”

Applicants may apply for a Conditional Use Permit if they wish to conduct a use in a specific zoning classification not expressly set forth by the Ordinance’s TSO III, Annexation B (*Use Table*).

HOW TO APPLY FOR A C.U.P?

A Land Use Application is available at the Department of Planning and Zoning and at www.cityofgoosecreek.com. Submit the completed application, a letter of intent, all supporting supplemental materials, and fee to the Department of Planning and Zoning. Conditional Use Permit hearings are conducted by the Zoning Board of Appeals (ZBA). The City will post a sign on the property informing the community of the conditional use request. In addition, a public notice will be printed in the newspaper prior to the ZBA hearing.

A Land Use Map is available at: www.cityofgoosecreek.com



FOR MORE INFORMATION

City of Goose Creek ~ Department of Planning and Zoning
519 N. Goose Creek Boulevard, Goose Creek SC 29445

Phone: (843)-797-6220
Fax: (843) 863-5208
E-mail: planning-zoning@cityofgoosecreek.com

www.cityofgoosecreek.com See: Code of Ordinance, Section 151.084

ZONING ORDINANCE

The Department of Planning and Zoning enforces the City’s Zoning Ordinance adopted November 14, 1978 as amended.

Section 151.170 of City Code addresses the Zoning Board of Appeals (ZBA). Section 151.171 (C) states that “to permit conditional uses subject to the terms and conditions for the uses as set forth below (Reference Section 151.028). Conditional uses may be allowed after determination by the ZBA of additional controls required, and after the holding of a public hearing. A listed conditional use (TSO III, Annexation B) is eligible for location with the subject zoning district, if **all** of the following conditions can be clearly demonstrated to exist:

- **151.171 (C) (1)** Setbacks, buffers, fences, or planting strips protect adjacent properties from adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion, and similar factors;
- **151.171 (C) (2)** Vehicular traffic flow would not increase and pedestrian movement would not be diminished or endangered;
- **151.171 (C) (3)** Off-street parking and loading, and ingress/egress points of proposed uses will be adequate as to location, capacity, and design;
- **151.171 (C) (4)** Property values, general character, and welfare of nearby areas will not be deteriorated;
- **151.171 (C) (5)** The proposed use shall be in accordance with the purpose and intent of the City’s Comprehensive Plan, Zoning Ordinance, and other rules and regulations;
- **151.171 (C) (6)** The proposed use shall be compatible with the existing neighborhood character, and be consistent with the character and purpose of the applicable zoning district;
- **151.171 (C) (7)** The proposed use shall not adversely affect surrounding land use, as measured in terms of its physical size, intensity of use, visual impact, and proximity to other structures;
- **151.171 (C) (8)** The proposed use complies with all applicable development standards of the City;
- **151.171 (C) (9)** The proposed use is not detrimental to the public health, safety or general welfare of the City and its citizens;
- **151.171 (C) (10)** The proposed use shall not constitute a nuisance or hazard b/c of the number of persons who will attend or use such facility, of the vehicular movement, of noise or fumes, or of the type of physical activity;
- **151.171 (C) (11)** The proposed use shall not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site;
- **151.171 (C) (12)** The proposed use shall not create glare from vehicular and stationary lights, and the extent to which such lights will be visible from the adjacent zoning districts;
- **151.171 (C) (13)** The proposed use shall not destroy, create a loss, or cause damage to natural, scenic or historic feature of significant importance;
- **151.171 (C) (14)** In the consideration of a conditional use, the ZBA shall not grant permission based on the circumstances of the applicant, or on unnecessary hardship;
- **151.171 (C) (15)** The ZBA reserves the right to revoke any conditional use permit that it has issued if it determines that the applicant or operator has failed to maintain and conduct the use in accordance with the conditions imposed on the conditional use. The ZBA shall give the applicant written notice of its intent to revoke the conditional use permit, and, if within ten (10) calendar days of receipt of the notice the applicant submits a request for a hearing to the Secretary, the ZBA shall schedule a public hearing, and provide the applicant with the opportunity to be heard prior to deciding whether to revoke the permit;
- **151.171 (C) (16)** The provisions for revocation of conditional use permits shall not be deemed to preclude any other legal remedy with respect to violation of the provision of the Zoning Ordinance or other rules and regulations of the City, and
- **151.171 (C) (17)** In approving a conditional use, the Commission may impose such conditions and restrictions as in its opinion will accomplish the intent of this Ordinance.