

***SUPPORTING MATERIALS TO  
CITY COUNCIL MEETING  
February 9, 2021***

## ***APPROVAL OF PREVIOUS MINUTES***



**MINUTES**  
**CITY OF GOOSE CREEK, SOUTH CAROLINA**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, JANUARY 12, 2021 – 6:00 PM**  
**CITY HALL - COUNCIL CHAMBERS**  
**519 N GOOSE CREEK BOULEVARD**

**MAYOR/COUNCIL PRESENT:**

Mayor Gregory S. Habib  
Mayor Pro Tem Jerry Tekac  
Councilmember Hannah Cox  
Councilmember Melissa Enos  
Councilmember Debra Green-Fletcher  
Councilmember Corey McClary  
Councilmember Gayla McSwain

**PRESS PRESENT:**

None

**CITY STAFF:**

City Administrator Natalie Zeigler  
Assistant City Administrator Brian Cook  
City Clerk Kelly J. Lovette  
Chief Financial Officer Tyler Howanyk  
Chief of Police LJ Roscoe  
Public Information Officer Frank Johnson  
Director of Planning & Zoning Mark Brodeur  
IT Director Ryan Byrd

**GUESTS PRESENT:**

None

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PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JANUARY 8, 2021, AND THE AMENDED AGENDA TO ZOOM LIVE WAS DELIVERED TO THE PRESS BY EMAIL ON MONDAY, JANUARY 11, 2021 AND WAS DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

**I. CALL TO ORDER**

Mayor Habib called the meeting to order at 6:00 pm and requested Councilmember Corey McClary to lead in the invocation and Pledge of Allegiance.

**II. GENERAL PUBLIC COMMENTS:** Note: All comments sent to the City Clerk by 12:00 noon on the date of this meeting, via US Mail or Email, as stated on the meeting Agenda, were forwarded to City Council.

**III. APPROVAL OF MINUTES:**

- a. City Council Workshop – December 7, 2020
- b. City Council Meeting – December 8, 2020

Motion: Councilmember McClary; Second: Councilmember Green-Fletcher  
Discussion: None.  
Carried: All ayes.

**IV. PRESENTATIONS & PROCLAMATIONS:**

- a. City Employee Recognitions and Awards

Mayor Habib stated due to the meeting being changed to Zoom, he presented the awards that day at 4:00 p.m., and Officer Scott Derrick, the City's Community Policing Officer, was selected not only as

the Police Department's employee of the year, but he was selected by City Council as the overall City of Goose Creek Employee of the Year.

## **VII. OLD BUSINESS & PUBLIC HEARINGS**

- a. AN ORDINANCE TO SELL A PORTION OF REAL PROPERTY OF THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION, KNOWN AS TMS# 244-05-01-059 (OFF LINDY CREEK ROAD), IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (Second and Final Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Green-Fletcher

Discussion: None.

Carried: Five (5) Ayes; Two (2) Nays (Councilmember McClary and Councilmember McSwain).

- b. AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, BY REPEALING IN ITS ENTIRETY THE CURRENT SECTION 31.005, COMPENSATION OF MAYOR AND COUNCIL MEMBERS AS FIXED, AND ADOPTING IN LIEU THEREOF A NEW SECTION 31.005, COMPENSATION FREQUENCY OF MAYOR AND COUNCIL, WHICH IS ATTACHED HERETO AND MADE PART THEREOF AS IS FULLY SET OUT HEREIN (Second and Final Reading of a Public Hearing)

Motion: Councilmember Cox; Second: Mayor Pro Tem Tekac

Discussion: None.

Carried: All ayes.

- c. AN ORDINANCE PURSUANT TO TITLE 5, CHAPTER 3, SECTION 5-3-150, SUBSECTION 3, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO ANNEX AN AREA IDENTIFIED AS TMS 244-13-01-009 and TMS 244-13-01-010 INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION (Second and Final Reading of a Public Hearing)

Motion: Councilmember McClary; Second: Councilmember Green-Fletcher

Discussion: None.

Carried: All ayes.

## **VIII. NEW BUSINESS & PUBLIC HEARINGS**

- a. AN ORDINANCE TO AMEND THE "CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA", BY AMENDING TITLE XV – LAND USAGE, SUBCHAPTER "151.086 – PARKING AND LOADING SPACE" REGARDING THE ADDITION OF LANGUAGE TO LIMIT THE MAXIMUM NUMBER OF PARKING SPACES PERMITTED AND TO PROVIDE SPECIFICATIONS ON THE SIZE OF PARKING SPACES AND TO PERMIT THE SHARING OF PARKING SPACES BETWEEN APPROPRIATE PROPERTIES (Introduction and First Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Cox

Discussion: Councilmember McClary and Mayor Habib inquired what prompted the proposed Ordinance. Mrs. Zeigler stated it is a trend with other municipalities to move toward less parking, so you do not have the overparking like what is in front of Walmart, where it is only used during Black Friday and no other time during the year. She stated you want to reduce the size down for aesthetics reasons and not have the mindset of let them build what they want. Mr. Brodeur stated this is indeed a trend and for three (3) reasons it is a positive move forward. He stated the first, excessive parking can unnecessarily move a building closer to a residential area; second, is to try to minimize the paving to allow for valuable space that can be turned into taxable income producing businesses; and the third is stormwater runoff in that if you are providing for 200 parking spaces instead of 75, you are paving over a lot of ground that can absorb rainwater.

Carried: All ayes.

- b. AN ORDINANCE TO AMEND THE “CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA”, BY AMENDING TITLE XV – LAND USAGE, CHAPTER 151 – ZONING SUBCHAPTERS INCLUDING SUBCHAPTER “151.085 – TABLE OF LAND USE BUFFERS; SUBCHAPTER 151.105 – ESTABLISHMENT OF DISTRICTS AND MAPS; SUBCHAPTER 151.109 - SPECIAL USES; SUBCHAPTER 151.133 – LIGHT INDUSTRIAL DISTRICT; SUBCHAPTER 151.134 GENERAL INDUSTRIAL DISTRICT; APPENDIX A – TABLE OF PARKING AND LOADING REQUIREMENTS; APPENDIX B – TABLE OF LAND USES; APPENDIX C – TABLE OF ACCESSORY USES; TABLE D – ZONING DISTRICTS AND THE REPEAL OF SUBCHAPTER 151.132 – COMMERCIAL AND INDUSTRIAL DISTRICT IN ITS ENTIRETY AND CREATE A NEW SUBCHAPTER 151.132 - HEAVY INDUSTRIAL (Introduction and First Reading of a Public Hearing)

Motion: Mayor Pro Tem Tekac; Second: Councilmember Green-Fletcher

Discussion: Councilmember McClary inquired the reason for this proposed Ordinance. Mayor Habib stated the reason for doing this was the anticipated annexation of the Century Aluminum plant and for the City to match the current zoning they have with Berkeley County. Mr. Broader elaborated as to what Mayor Habib stated and he wanted to assure everyone the only place Heavy Industrial could go was on the current Century Aluminum property.

Carried: All ayes.

- c. AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES IN THE ZONING DISTRICTS OF THE FOLLOWING PROPERTY: THE PROPERTY LOCATED ALONG OLD BACK RIVER ROAD AND IDENTIFIED AS TMS #'s 244-00-00-033, 244-14-05-047 AND 244-14-05-048, FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-3 (HIGH DENSITY RESIDENTIAL) – (Introduction and First Reading of a Public Hearing)

Motion: Councilmember Cox; Second: Councilmember Green-Fletcher

Discussion: Councilmember McClary inquired if the proposed development consisted of duplexes under R-3. Mr. Broader stated they are not duplexes, these are called paired homes and each unit will be on its own separate and individual parcel and is individually owned; therefore, it must be an R-3 zoning and to get the paired homes this project still needs to proceed to the Zoning Board of Appeals for a multi-family attached product unit for approval.

Carried: All ayes.

## **VII. ADMINISTRATOR’S REPORT**

### **a. Installment Lease Purchase Approval**

Mrs. Zeigler stated she was seeking approval to finance the City’s Capital equipment within the 2021 budget, part of the purchases for three (3) years (\$615,000) and part for five (5) years (\$310,000), with the lowest RFP coming in from BB&T / Truist 0.820% (3 years) and 1.010% (5 years).

Motion: Mayor Pro Tem Tekac; Second: Councilmember McClary

Discussion: None.

Carried: All ayes.

### **b. Police Department – Upgrade to PD Training Room**

Mrs. Zeigler stated she has spoken with Ryan Byrd, the City’s It Director, and Carolina Sound Communications is who the City has used since before Ryan began with the City and they handle all the City’s communications equipment and City staff is seeking to use them for the upgrade to the PD Training Room. She stated it is a budgeted expense that came in under budget, and she was requesting City Council’s approval.

Motion: Councilmember McSwain; Second: Mayor Pro Tem Tekac

Discussion: Councilmember McSwain inquired if there was a certain amount that requires an item to be put out for bid. Mayor Habib stated the Purchasing Policy that was passed by City Council allows supervisors up to \$1,000; City Administrator up to \$5,000 and anything over \$25,000 requires City Council's approval, and the City Administrator is required to get bids on purchases over a certain amount. Mr. Howanyk stated the IT Director does have some discretion and leeway due to technology equipment/software compatibility when it comes to required bids; but yes, City staff does get three (3) bids on most items.

Carried: All ayes.

## **IX. MAYOR'S REPORT**

Mayor Habib provided updates to the following by stating construction has begun with Boulder Bluff Park and is scheduled to be completed by June 30, 2021; he stated he received an email concerning the US Highway 176 Safety Project and there was a delay due to a utility easement and December 14<sup>th</sup> was the date they were allowed to start and the end date was scheduled for July and that it has not been moved back, but there is one exception; the utility easements and a sewer main that Berkeley County plans to put in down the road. He stated the entirety of the project is expected to be completed by the end of July except for the turn lane going into Westview. Mayor Habib stated he spoke with Governor McMaster last week regarding vaccinations and his concerns about our frontline personnel, Police and Fire, and why it was taking so long to get this group vaccinated. He stated after speaking with a couple of other police chiefs it appears to be a problem in Berkeley County and not necessarily in other areas. He spoke with the hospital administrator with Roper Berkeley and the administrator forwarded the City a portal and now our frontline personnel are getting vaccinated.

## **X. ADJOURN**

Motion: Mayor Pro Tem Tekac; Second: Councilmember McClary

Discussion: None.

Carried: All ayes, 6:39 p.m.

Date: February 9, 2021

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Kelly J. Lovette, MMC  
City Clerk



**MINUTES**  
**CITY OF GOOSE CREEK, SOUTH CAROLINA**  
**SPECIAL CITY COUNCIL MEETING**  
**TUESDAY, JANUARY 26, 2021 – 6:00 PM**  
**FIRE DEPARTMENT – TRAINING ROOM**  
**201 BUTTON HALL AVENUE**

**MAYOR/COUNCIL PRESENT:**

Mayor Gregory S. Habib  
Mayor Pro Tem Jerry Tekac  
Councilmember Hannah Cox  
Councilmember Melissa Enos  
Councilmember Debra Green-Fletcher  
Councilmember Corey McClary  
Councilmember Gayla McSwain

**PRESS PRESENT:**

None

**CITY STAFF:**

City Administrator Natalie Zeigler  
Assistant City Administrator Brian Cook  
City Clerk Kelly J. Lovette  
Chief Financial Officer Tyler Howanyk

**GUESTS PRESENT:**

None

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PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JANUARY 22, 2021, AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

**I. CALL TO ORDER**

Mayor Habib called the meeting to order at 6:00 pm.

**II. CITY ADMINISTRATOR'S REPORT**

a. Request to Hire Human Resources Director

Mrs. Zeigler stated she was seeking permission to hire Mrs. Hilary VanOrsdel as the City's new Human Resources Director with a start date of February 1, 2021.

Motion: Mayor Pro Tem Tekac; Second: Councilmember Enos

Discussion: None.

Carried: All ayes.

b. Resolution Approving Financing Terms (2021 Capital Budget)

Mr. Howanyk presented a Resolution stated it was simply a formality for the financing that was approved by City Council at the City Council Meeting on January 12, 2021.

Motion: Councilmember McSwain; Second: Councilmember McClary

Discussion: None.

Carried: All ayes.

**VII. ADJOURNMENT**

Motion: Mayor Pro Tem Tekac; Second: Councilmember Cox

Discussion: None.

Carried: All ayes, 6:02 p.m.

Date: February 9, 2021

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Kelly J. Lovette, MMC  
City Clerk



**MINUTES**  
**CITY OF GOOSE CREEK, SOUTH CAROLINA**  
**CITY COUNCIL WORKSHOP**  
**TUESDAY, JANUARY 26, 2021 – 6:00 PM**  
**FIRE DEPARTMENT – TRAINING ROOM**  
**201 BUTTON HALL AVENUE**

**MAYOR/COUNCIL PRESENT:**

Mayor Gregory S. Habib  
Mayor Pro Tem Jerry Tekac  
Councilmember Hannah Cox  
Councilmember Melissa Enos  
Councilmember Debra Green-Fletcher  
Councilmember Corey McClary  
Councilmember Gayla McSwain

**PRESS PRESENT:**

None

**CITY STAFF:**

City Administrator Natalie Zeigler  
Assistant City Administrator Brian Cook  
City Clerk Kelly J. Lovette  
Chief Financial Officer Tyler Howanyk

**GUESTS PRESENT:**

Mr. Daryl Parker, Willdan Financial Services

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PURSUANT TO THE FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JANUARY 22, 2021, AND DULY POSTED AT CITY HALL LOCATED AT 519 N GOOSE CREEK BOULEVARD, AN ACCESSIBLE FACILITY, AND ON CITYOFGOOSECREEK.COM

**I. CALL TO ORDER**

Mayor Habib called the meeting to order at 6:02 pm.

**II. BUSINESS**

**a. City Water Rates Study (Presentation)**

Mrs. Zeigler introduced Mr. Daryl Parker of Willdan Financial Services, who provided City Council with a thorough PowerPoint presentation concerning their rates study on the City's water system. He stated it had been a long time since one was conducted by the City. Mr. Parker stated the presentation was merely an informative process and they were not looking for any answers that evening.

**b. Casey Center Property/All Inclusive Park**

Mrs. Zeigler provided City Council with a PowerPoint presentation put together by Mr. TJ Rostin, Director of Recreation, of the proposed plans regarding an all-inclusive park for the property located at the old Casey Center. She stated the proposed plans provided for an inclusive playground that would also have an inclusive splash pad with an attendant while it is open to the public and there would be no charge to enjoy the open splash pad. The park would also include a covered shelter/pavilion that would also include pickle ball courts and a farmer's market, an office and restroom building, a sand volleyball court, an area for cornhole and horseshoes, a food truck court where trucks can simply pull up when tournaments are going on, and a space where small events can take place. Mrs. Zeigler turned the presentation over to Mr. Howanyk who stated they were looking at an estimated cost of around \$5,000,000, with the park being partially funded by the Hospitality Tax (\$1,000,000), H-Tax Debt Issuance (\$2,200,000); and, recommended the General Fund pay for the balance (\$1,800,000), all of which he thoroughly reviewed with City Council. Mrs. Zeigler stated, based on experience, she would propose a Request for Qualifications (RFQ) process where the City selects a team to come in and work with City staff on the project.



**c. Proposed Master Fee Schedule**

Mr. Howanyk stated before City Council was a proposed Master Fee Schedule, a working document, currently in draft form and fees were still being updated and added, wherein City staff would be charging in relation to State law. He stated the fees charged would be for services provided throughout all the City's departments and proposed each year in Ordinance form at the same time City Council approves the annual fiscal year budget.

**d. Building Board of Adjustments and Appeals**

Mr. Cook stated currently under the City's Code of Ordinance's it was approved by City Council in March 2020, for a Building Board of Adjustments and Appeals. He stated City staff will be advertising for residents of the City who may be interested in serving. The BBA was approved right when COVID19 happened in 2020, and according to Ordinance, the BBA would consist of five (5) members. one (1) engineer, one (1) general contractor and three (3) individuals at-large. Mrs. Zeigler stated City staff was reminding them of the ordinance that was passed in case they see advertising for the BBA.

**e. Special Events Ordinance**

Mr. Howanyk reviewed with City Council the proposed Special Events Ordinance and stated what the City currently does is very similar to what other jurisdictions do when it comes to special events. He stated the City currently has a Parade Ordinance, but no Special Events Ordinance. Mrs. Zeigler stated one of the things City staff wants is to be consistent with requests for special events across the board and define events held by Homeowner's Associations that are only open to their residents versus events held that are open to the public, as well as define special events held by non-profits. It will also help in defining requirements for other types of permitting and fees involving special events.

**VII. ADJOURNMENT**

Motion: Mayor Pro Tem Tekac; Second: Green-Fletcher  
Discussion: None.  
Carried: All ayes, 8:09 p.m.

Date: February 9, 2021

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Kelly J. Lovette, MMC  
City Clerk

# ***PRESENTATIONS & PROCLAMATIONS***



# *Proclamation*

## *Office of the Mayor*

### *“2021 Women in Construction Week”*

### *National Association of Women in Construction (NAWIC)*

### *March 7 - 13, 2021*

*WHEREAS, the NAWIC Palmetto Chapter has distinguished itself for three years as the voice of women in construction in Goose Creek; and*

*WHEREAS, the work done by the NAWIC Palmetto Chapter has benefited Goose Creek through community development and educational programs; and*

*WHEREAS, the NAWIC Palmetto Chapter has unceasingly promoted the employment and advancement of women in the construction industry; and*

*WHEREAS, the construction community, represented by the NAWIC Palmetto Chapter, has been a driving force in fostering community development through renovation and beautification projects; promotion of skilled trades careers; and a positive vision of the future; and*

*WHEREAS, the NAWIC Palmetto Chapter has sought to achieve successful results for Goose Creek and our surrounding areas in a cooperative spirit with other organizations.*

*NOW THEREFORE, be it proclaimed that I, as Mayor of the City of Goose Creek, South Carolina, Gregory S. Habib, do hereby recognize the NAWIC Palmetto Chapter and its many dedicated volunteers for its steadfast work on behalf and support of women in construction, and do proudly proclaim the week of March 7 - 13, 2021 as “Women in Construction Week,” and encourage our citizens to congratulate the organization on its many accomplishments.*

*Proclaimed this 9<sup>th</sup> day of February 2021.*

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*Gregory S. Habib*  
*Mayor*

*Attest:* \_\_\_\_\_  
*Kelly J. Lovette, MMC*  
*City Clerk*



# Proclamation Office of the Mayor

## “National Black HIV/AIDS Awareness Day” February 7, 2021

*WHEREAS*, National Black HIV/AIDS Awareness Day (NBHAAD) is observed annually on February 7 to increase awareness, spark conversations, and highlight the work being done to reduce HIV in Black or African American (hereafter referred to as Black) communities in the United States and show support for people with HIV in these communities; and

*WHEREAS*, February 7, 2021, we recognize the 21<sup>st</sup> year commemoration and observance of National Black HIV/AIDS Awareness Day (NBHAAD); and

*WHEREAS*, this year's theme, “We're in This Together,” promotes the importance of social support—from friends, family, colleagues, and partners—even when apart; and

*WHEREAS*, this observance is a nationwide effort to mobilize Black communities to get educated, get tested, get involved, and get treated around HIV/AIDS, as it continues to adversely impact Black communities; and

*WHEREAS*, 43% of all new HIV diagnoses are African American and 59% of all women diagnosed with HIV are African American; and

*WHEREAS*, the NAACP Goose Creek Branch, Mount Moriah Missionary Baptist Church HIV/AIDS Ministry and Palmetto Community Care are hosting community events to recognize this day and its importance to Blacks and all concerned citizens; and

*WHEREAS*, education, prevention, and free testing is available through Palmetto Community Care (843-747-2273) and SC DHEC Health Centers; and

*WHEREAS*, it is fitting that the City of Goose Creek express our support for National Black HIV/AIDS Awareness Day and the initiatives that work to prevent the transmission of HIV and reduce AIDS diagnoses in Black communities and provide access to and utilization of HIV/AIDS prevention, treatment, and support services to those affected by HIV/AIDS; and

*THEREFORE*, in recognition of the 21<sup>st</sup> Anniversary BLACK HIV/AIDS AWARENESS DAY on February 7, 2021, I, Gregory Habib, Mayor of the City of Goose Creek, South Carolina do hereby designate February 7, 2021 to be NATIONAL BLACK HIV/AIDS AWARENESS DAY in the City of Goose Creek. I encourage all the citizens of Goose Creek to support this day and participate in events planned to commemorate the occasion.

*NOW THEREFORE*, as Mayor of the City of Goose Creek, South Carolina, I, Gregory S. Habib, along with my fellow members of Goose Creek City Council, do hereby proclaim February 7, 2021 as

## “National Black HIV/AIDS Awareness Day”

in Goose Creek, South Carolina, and encourage local residents to strongly support this day and participate in events planned to commemorate the occasion.

*IN WITNESS WHEREOF*, I, Gregory S. Habib, hereunto set my hand and caused the seal of the City of Goose Creek to be affixed this 9<sup>th</sup> day of February 2021.

\_\_\_\_\_  
Gregory S. Habib  
Mayor

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC  
City Clerk



# Proclamation Office of the Mayor

## “NAACP DAY” FEBRUARY 12, 2021

*WHEREAS*, on February 12, 1909, the 100th anniversary of Abraham Lincoln's birth, a group that included Mary White Ovington, W.E.B. DuBois, Joel Spingarn, and Ida B Wells-Barnett announced the formation of a new organization. Called the National Association for the Advancement of Colored People (NAACP); and

*WHEREAS*, the NAACP opened its first branches in South Carolina in 1917. By the 1920s other local branches were founded and in 2004, the Goose Creek Branch was chartered; and

*WHEREAS*, the vision of the NAACP is to ensure a society in which all individuals have equal rights without discrimination based on race; and

*WHEREAS*, the NAACP would have a profound effect on the struggle for civil rights and the course of 20th Century American history; and

*WHEREAS*, it also won a major legal victory in 1915, when the Supreme Court declared an Oklahoma "grandfather clause" that allowed whites to bypass voting restrictions unconstitutional; and

*WHEREAS*, throughout the 1940s, the NAACP continued to act as a legislative and legal advocate, pushing for a federal anti-lynching law and for an end to state-mandated segregation; and

*WHEREAS*, in the 1950s the NAACP Legal Defense and Educational Fund, headed by Thurgood Marshall, won *Brown v. Board of Education* (1954), which outlawed segregation in public schools; and

*WHEREAS*, in the civil rights era, the NAACP helped to advance passage of the Civil Rights Acts of 1957, 1964, and 1968 and the Voting Rights Act of 1965; and

*WHEREAS*, at the close of its first century, de facto racial segregation remained, and job discrimination lingered, and urban poverty and crime increased, NAACP's advocacy and action remained critical for the African American community; and

*WHEREAS*, the NAACP entered the 21<sup>st</sup> century reinvigorated and in 2000 launched a massive get-out-the-vote campaign. As a result, 1 million more African Americans cast their ballots in the 2000 presidential election than in 1996; and

*WHEREAS*, the NAACP's initiatives for the 21<sup>st</sup> century are: economic sustainability; education; health; public safety and criminal justice; voting rights and political representation; and, expanding youth and young adult engagement; and

*WHEREAS*, the NAACP continues to nonviolently strives to bring positive change to educational inequity, impediments to voting, racial economic injustice, the policing crisis, and the resurgence of overt white supremacy.

*THEREFORE*, in recognition of the 112<sup>th</sup> Anniversary of the NAACP on February 12, 1921, I, Gregory Habib, Mayor of the City of Goose Creek, South Carolina do hereby proclaim February 12, 2021 to be

### NAACP DAY

in the City of Goose Creek, I encourage all the citizens of Goose Creek to celebrate this important observance and to continue to work toward the goal that all individuals have equal rights without discrimination.

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Goose Creek to be affixed this 9<sup>th</sup> day of February 2021.

\_\_\_\_\_  
Gregory S. Habib  
Mayor

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC  
City Clerk



# Proclamation Office of the Mayor

## “Black History Month” February 2021

*WHEREAS, Black History Month grew out of the establishment, in 1926, of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and*

*WHEREAS, African American History is American History; and*

*WHEREAS, the national theme for this year’s observance is “The Black Family: Representation, Identity, and Diversity”; and*

*WHEREAS, the Black Family offers a rich tapestry of images for exploring the African American past and present; and*

*WHEREAS, this year’s theme coincides with the Black Family being a topic of study in many disciplines – history, literature, the visual arts and film studies, sociology, anthropology, and social policy, and*

*WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and*

*WHEREAS, in 2021 Kamala Harris became the first female and African American to be elected Vice President of the United States; and*

*WHEREAS, in 2021 retired Army General Lloyd Austin became the first African American Secretary of Defense; and*

*WHEREAS, the observance of Black History Month calls our attention to the continued need to battle racism and build a society that lives up to its democratic ideals; and*

*WHEREAS, as a result of determination, hard work, and perseverance, African Americans have made valuable and lasting contributions to the City of Goose Creek, State of South Carolina, and United States, achieving exceptional success in all aspects of society including business, education, politics, science, and the arts; and*

*WHEREAS, the City of Goose Creek is proud to honor the history and contributions of African Americans in our city, state and throughout the nation.*

*THEREFORE, in recognition of African Americans past and present in the City of Goose Creek, I, Gregory Habib, Mayor of the City of Goose Creek, South Carolina, do hereby proclaim February 2021 to be*

### **BLACK HISTORY MONTH**

*in the City of Goose Creek, I encourage all the citizens of Goose Creek to celebrate this important observance and to continue to work toward the goal of liberty and justice for all.*

*IN WITNESS WHEREOF, I, Gregory S. Habib, hereunto set my hand and caused the seal of the City of Goose Creek to be affixed this 9<sup>th</sup> day of February 2021.*

\_\_\_\_\_  
Gregory S. Habib  
Mayor

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC  
City Clerk

***OLD BUSINESS & PUBLIC HEARINGS***



# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Mark Brodeur, Director, Planning

Please check one box

Regular Meeting

Special Meeting

Work Session

Proclamation

Please check one box, if applicable

Ordinance

Resolution

## Ordinance/Resolution Title

Parking Ordinance Revision to prohibit "overparking"

## Background Summary

Planning Commission initiated modification to the parking Ordinance to prohibit the overparking of commercial sites.

## Financial Impact

The scope of the financial impact is significant in a positive way. More land for building square footage versus asphalt!

## Impact if denied

The impact would be mostly visual but the fiscal impact on having to provide larger storm-water infrastructure would certainly be present.

## Impact if approved

Improved site development.

Department Head:

Mark Brodeur

Signature & Date

Digitally signed by Mark Brodeur  
DN: cn=local, o=goosecreek, ou=GCCITY  
Users, ou=City Hall - Administration,  
ou=Planning, cn=Mark Brodeur  
Date: 2020.10.07 12:20:44 -04'00'

City Administrator:

  
Signature & Date





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

**Department of  
Planning and Zoning**

**Mark Brodeur**  
DIRECTOR

519 N. GOOSE CREEK BOULEVARD  
P.O. DRAWER 1768  
GOOSE CREEK, SC 29445-1768  
TEL (843) 797-6220 EXT. 1118  
FAX (843) 863-5208

**Memorandum**

**TO:** Members of the City Council  
**FROM:** Mark Brodeur, Planning and Zoning  
Director  
**DATE:** January 12, 2021  
**SUBJECT:** Public Hearing for Revisions to § 151.086  
PARKING AND LOADING SPACE.

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**Proposal:**

The suggested language modification to the City's Parking and Loading Space ordinance would place a *maximum* on the number of parking spaces provided. It also permits shared parking and for a slightly smaller parking space size when wheels stops are employed.

**Background:**

Under the current ordinance language an applicant can pave and install as many parking spaces as desired above the minimum required. This creates large impervious surfaces that exacerbate stormwater runoff and reduce the amount of land dedicated to landscaping or building space.

The intent isn't to prohibit a developer from providing some extra parking. It simply places a maximum number of spaces allowed to 150% of the total required.

For example, if a business is required to provide a minimum of 50 spaces, this ordinance amendment would allow 75 spaces to be constructed. However, it wouldn't allow more than 75 spaces.

**Discussion:**

Recent project proposals before ARB and the Planning Commission have brought this issue to the forefront. Several of these developments are adjacent to residential properties.

Our current parking space requirements for commercial uses are out-of-touch with today's modern parking ordinances. This amendment will help to modernize our Zoning Code.

**Recommendation:** City Staff & the Planning Commission supports the proposed language modification to the Zoning Code.

**AN ORDINANCE**

**AN ORDINANCE TO AMEND THE “CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA”, BY AMENDING TITLE XV – LAND USAGE, SUBCHAPTER “151.086 – PARKING AND LOADING SPACE” REGARDING THE ADDITION OF LANGUAGE TO LIMIT THE MAXIMUM NUMBER OF PARKING SPACES PERMITTED AND TO PROVIDE SPECIFICATIONS ON THE SIZE OF PARKING SPACES AND TO PERMIT THE SHARING OF PARKING SPACES BETWEEN APPROPRIATE PROPERTIES**

**WHEREAS**, the Planning Commission of the City of Goose Creek held a public hearing on December 1, 2020 to receive public comments and consider the item;

**WHEREAS**, the Planning Commission unanimously recommended that the City Council approve the suggested changes to amend subchapter 151.086 Parking and Loading Space of the Zoning Code to place a maximum number of parking spaces for new development and to simultaneously include new language regarding parking spaces sizes and sharing of parking between appropriate properties;

**WHEREAS**, the City Council of Goose Creek desires to reduce stormwater runoff and to allow more space for landscaping/open space on newly developed properties;

**WHEREAS**, the current Zoning subchapter 151.086 – Parking and Loading Space places no limit on the number of parking spaces that a development can provide, and the City Council of Goose Creek considers that detrimental to the orderly development of the City;

**WHEREAS**, the City Council desires to reduce the size of parking spaces when wheel stops are employed;

**WHEREAS**, the City Council sees the advantage of allowing some adjacent uses to share parking spaces;

**WHEREAS**, the City Council of Goose Creek wants to improve the conditions placed on new development.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Code of Ordinances of the City of Goose Creek, South Carolina, is hereby amended to set a maximum parking space requirement along with modifications that reduce the negative impacts that surface parking can have on the environment.

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

**INTRODUCED** the 12th day of January 2021.

**DONE** the \_\_\_\_\_ day of February 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos

## §151.086 PARKING AND LOADING SPACE

Paved off-street automobile parking shall hereafter be required in all zoning districts at the time of initial construction of any principal building, or when changes in a principal building require more parking. Off-street parking shall have direct access to a street and shall in all respects conform to this chapter.

(A) *Required space.* The **minimum** number of off-street parking spaces, or loading space, shall be calculated on the basis of land use, or use of the principal building, as specified in Columns 2 and 3 of [Appendix A](#). **The number of off-street parking spaces shall not exceed 150 percent of the required minimum number of spaces. The parking spaces which are above 125 percent of the required minimum are to be made of a semi-pervious material approved by the Zoning Administrator.** For those uses not specifically identified in the annexation, required space shall be determined by the Zoning Administrator.

(B) *Application of parking requirements.*

(1) All required parking spaces shall be located on the same lot with the principal building or use, except as provided in division (D) below.

(2) In the case of mixed or joint use of a building or lot, the required spaces shall be equal to the sum of the spaces required for each use individually. **However, where the peak operating hours of adjoining uses do not overlap, the uses may share up to 50 percent of required parking spaces.**

(3) Uses not specifically listed in [Appendix A](#) shall require parking spaces equal to a listed use of similar parking demand generation, as determined by the Administrator.

(4) The total number of spaces required may be reduced up to 10% when the reduction is warranted by unusual circumstances, as determined by the Administrator.

(5) The number of employees used for determining parking requirements shall be the average number on the shift of greatest employment.

(6) If fractional numbers result from parking space computations, the next highest whole number (as to number of spaces required) shall be used.

(C) *Area and paving required for parking spaces.* Each automobile parking space shall measure nine feet by 18 feet minimum (162 square feet), excluding any aisle or maneuvering space. **However, the paved length of a 90-degree parking stall may be reduced to 17 feet, provided that curbing or anchored concrete wheel stops are furnished at the edge of paving to allow the vehicle to overhang a landscaped area of at least five feet in width. Parking stall length shall not be reduced where the vehicle would overhang a sidewalk.** Areas in public rights-of-way shall not be used in providing parking or maneuvering space. Curb cuts shall be as specified in § [151.082](#)(F)(2). Parking plans shall be submitted in the form of a scale drawing of the proposed parking and loading spaces, with landscaped areas and demonstrated conformance with these regulations. Approved parking spaces shall be paved.

(D) *Exceptions to off-street parking areas.* Required off-street parking for one and two-family residences shall be located on the same lot as the principal building served. In unusual circumstances or hardships, however, the Commission may approve off-site parking for all other permitted areas, provided the parking area is not more than 300 feet from the principal building or use served, and that the owner of the parking site relinquishes development rights of the property until parking is provided elsewhere. Where the off-site parking is proposed, recorded covenants as to parking use and development rights shall be provided.

(E) *Joint use off-street parking areas.* Two or more principal uses may utilize a common off-street area in compliance with divisions (B)(2) and (D) above. Total spaces required may be reduced by the Commission if a reduction is warranted by the particular grouping of uses.

(F) *Off-street loading area required.* Areas suitable for loading and unloading motor vehicles in off-street locations, and specifically designated for this purpose, shall be required upon initial construction, alteration or conversion of any building intended for commercial, industrial or governmental purposes. The off-street loading area shall have access to a public street and be provided as specified in [Appendix A](#) in addition to the preceding off-street parking requirements.

(G) *Area required per loading space.* Each off-street loading space shall be at least 12 feet wide, 40 feet long and 14 feet high, maintained clear of obstructions at all times.

(H) *Location of off-street loading areas.* Off-street loading areas shall be located on the same lot as the structure served, and in no case counted as part of the off-street parking requirements.

(I) *Adequacy of off-street loading area.* Whether specified in this chapter or not, all uses shall provide off-street loading areas sufficient for their requirements that no vehicle being loaded or unloaded shall stand in, nor project into, any public way.

(J) *Fire lanes required.* Commercial or light industrial facilities which have a floor area greater than 7,000 square feet or whose setback is 100 feet or greater from the road right-of-way, are required to establish and maintain fire lanes in compliance with § 3-2 of the State Fire Code. Fire lanes must be a minimum of 20 feet in width and be posted with signs which specifically state "No Parking - Tow Away Zone".

(K) *Parking requirements for the disabled person(s).* All governmental buildings, public buildings, commercial facilities and places for public uses, including churches and private clubs, with the exception of single-family and two-family residences, shall have parking spaces designated and signs posted in accordance with the following requirements.

(1) The international symbol of access to the physically disabled person(s) shall be permanently displayed (marked) on the ground for parking spaces that are reserved for such use. In addition, a sign bearing the international symbol of access to the physically disabled person(s) shall be posted facing each reserved parking space for the disabled person(s). Examples of the signs included one foot by one and one half foot in dimension, with the international symbol and "reserved parking" clearly marked on the sign.

(2) Parking spaces shall measure 13 feet by 18 feet minimum (234 square feet), including a five feet minimum access aisle. Parking spaces for the disabled person(s) shall be near main building entrances. Parking spaces and passenger loading zones for the disabled person(s) shall be as follows.

(3) Parking spaces and passenger loading zones for the disabled person(s):

<b>Total Spaces Or Zones</b>	<b>Required Number To Be Reserved For The Disabled Persons(s)</b>
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000
One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches (eight feet) wide minimum and shall be designated "van accessible".	



# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Mark Brodeur

Please check one box

Regular Meeting

Special Meeting

Work Session

Proclamation

Please check one box, if applicable

Ordinance

Resolution

## Ordinance/Resolution Title

Amend Industrial Zoning Classifications

## Background Summary

This proposal includes the addition of a new Industrial Zone called Heavy Industrial, the deletion of Commercial Industrial and all of the affected subchapters of the Zoning Code to make them hapen.

## Financial Impact

NA

## Impact if denied

Lack of a full compliment of zoning districts allowing industrial zoning.

## Impact if approved

Department Head:

Mark Brodeur Mark Brodeur  
11.0.23  
Signature & Date

City Administrator:

Natalie M Zuger  
Signature & Date

AN ORDINANCE

**AN ORDINANCE TO AMEND THE “CODE OF ORDINANCES OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA”, BY AMENDING TITLE XV – LAND USAGE, CHAPTER 151 – ZONING SUBCHAPTERS INCLUDING SUBCHAPTER “151.085 – TABLE OF LAND USE BUFFERS; SUBCHAPTER 151.105 – ESTABLISHMENT OF DISTRICTS AND MAPS; SUBCHAPTER 151.109 - SPECIAL USES; SUBCHAPTER 151.133 – LIGHT INDUSTRIAL DISTRICT; SUBCHAPTER 151.134 GENERAL INDUSTRIAL DISTRICT; APPENDIX A – TABLE OF PARKING AND LOADING REQUIREMENTS; APPENDIX B – TABLE OF LAND USES; APPENDIX C – TABLE OF ACCESSORY USES; TABLE D – ZONING DISTRICTS AND THE REPEAL OF SUBCHAPTER 151.132 – COMMERCIAL AND INDUSTRIAL DISTRICT IN ITS ENTIRETY AND CREATE A NEW SUBCHAPTER 151.132 - HEAVY INDUSTRIAL**

**WHEREAS**, the Planning Commission held a public hearing on December 1, 2020, to consider the item and unanimously recommended that the City Council approve several zoning changes in the Municipal Zoning Code by amending the following:

Title XV – Land Usage, Chapter 151 – Zoning Subchapters, including Subchapter “151.085 – Table of Land Use Buffers; Subchapter 151.105 – Establishment of Districts and Maps; Subchapter 151.109 - Special Uses; Subchapter 151.133 – Light Industrial District; Subchapter 151.134 General Industrial District; Appendix A – Table of Parking and Loading Requirements; Appendix B – Table of Land Uses; Appendix C – Table of Accessory Uses; Table D – Zoning Districts and the Repeal of Subchapter 151.132 – Commercial and Industrial District in its entirety and create a new Subchapter 151.132 – Heavy Industrial

**WHEREAS**, the City Council of Goose Creek desires to allow for a variety of industrial zoning classifications;

**WHEREAS**, the City Council of Goose Creek understands that adding a new industrial classification and the deletion of another requires modifications to several existing zoning subchapters;

**WHEREAS**, the City Council of Goose Creek wants to have an internally consistent Zoning Code and Comprehensive Plan;

**WHEREAS**, the Planning Commission recommends the suggested industrial zone modifications in the Zoning Code and the South Carolina Code of Laws permits the governing body to make such changes to the Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Code of Ordinances of the City of Goose Creek, South Carolina, is hereby amended to make several zoning modifications in support of a new industrial zoning classification and the repeal of an industrial zoning classification.

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

**INTRODUCED** the 12th day of January 2021.

**DONE** the \_\_\_\_\_ day of February 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos

## **151.135 HEAVY INDUSTRIAL DISTRICT.**

### *(A) Purpose.*

(1) To develop and reserve areas for heavy industrial uses that involve industrial and intensive manufacturing uses of a larger and more intensive scale, and that may generate substantially more impact on the surrounding properties, such as unenclosed storage, emissions, and noise; and

(2) To reserve undeveloped areas suitable for future uses.

### *(B) Permitted uses.* The following are approved uses by right.

(1) *Residential uses.* Residential uses which are incidental or accessory to a principal use or to another accessory use or which are for caretakers, security personnel, managers, or other persons whose physical proximity to a principal use or to another accessory use is reasonably required. (Examples of such accessory uses include, but are not limited to, caretaker cottages, temporary guest facilities, on-site residence for supervisory personnel, conference centers, and meeting rooms with overnight accommodations.)

### *(2) Office, governmental, institutional uses, agricultural uses.*

(a) Any publicly owned and/or operated building, facility or land.

(b) Public transportation terminal/passenger facility.

(c) Public utility substations, associated gas pipes/lines, transmission lines, distribution lines and any other associated infrastructure.

(d) Railroad rights-of-way, excluding all facilities other than those required for track operations.

(e) Air monitoring devices.

(f) Recreational uses, indoor and outdoor.

(g) Agricultural uses, both animal and plant and including timbering operations.

(h) Institutional uses such as, colleges, schools, worship, governmental, utilities, including any utility substation infrastructure.

(i) Private/public institutional uses such as child and elder care.

(j) Office uses as standalone or part of another allowed use.

(k) Communication towers.

### *(3) Commercial uses.*

(a) Animal shelter/kennels

(b) Automotive/equipment repair garage offering major repairs, body and fender repairs, and painting.

(c) Commercial, general services.

(d) Commercial, transportation (truckstop).

(e) Emergency medical care facility.

(f) Gasoline/fuel sales outlet, with or without accompanying convenience store, with pumps/fuel storage tanks set back at least 20 feet from boundaries, and no major repairs or body repairs.

(g) Gun range

(h) Research or laboratory facility, whereby there are no potentially hazardous materials onsite at any time.

(i) Storage uses, interior and exterior.

(j) Vehicle storage

(k) Wholesale sales.

(4) *Commercial industrial uses.*

(a) Automotive, truck, boat, RV, and/or equipment repair garage offering major repairs, body and fender repairs, and painting, where repairs are made outside the business structure, and/or where damaged vehicles or equipment are stored outside.

(b) Automotive towing/storage.

(c) Commercial laundry/dry cleaning plant facility.

(d) Heavy equipment, machinery, heavy truck sales, service, and repair.

(e) Mini warehouses.

(f) Storage of recreational vehicles.

(5) *Light industrial uses.*

(a) Assembly of products or materials.

(b) Distribution center.

(c) Parcel services.

(d) Production or manufacturing facility, whereby there is no exterior indication of manufacturing.

(e) Research facility.

(f) Materials handling.

(g) Warehousing/distribution.

(6) *Heavy industrial uses.*



- (a) Cold storage plant.
- (b) Concrete production plant.
- (c) Freight container storage yard.
- (d) Fuel storage facility.
- (e) Light and heavy manufacturing including but not limited to aluminum production/reduction.
  - (f) Manufacturing services (construction and others).
  - (g) Mining/resource extraction in compliance with DHEC reclamation regulations.
  - (h) Natural resource production (excavation of mineral deposits).
  - (i) Research or storage facilities, with potentially hazardous or flammable materials.
  - (j) Sanitary landfills.
  - (k) Scrap yards, scrap service.
  - (l) Stockpiling of sand, gravel or other materials.
  - (m) Transportation terminal for heavy trucks, commercial freight transfer and distribution center.
  - (n) Waste disposal/recycling centers. All commercial waste disposal facilities shall comply with the "Berkeley County and Dorchester County Solid Waste Management Plan 1993-2013" and the "Berkeley County Water and Sanitation Authority 2000 Update to the Solid Waste Management Plan". All industrial waste disposal facilities shall be lined with materials permitted by SCDHEC as appropriate for the specific waste disposal site.
  - (o) Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the principal use of the property

(C) *Lot, yard, height and coverage.* These requirements are illustrated in Appendix D but are provided here for ease of review.

- (1.) Minimum lot area: Five acres.
- (2.) Minimum lot frontage: Forty feet
- (3.) Minimum front yard setback: Forty feet\* (\* not applicable to utility poles, public utility substations, fencing and infrastructure elements)
- (4.) Minimum side yard setbacks: Twenty feet\* (\* not applicable to utility poles, public utility substations fencing and infrastructure elements)
- (5.) Minimum rear yard setback: Forty feet\* (\* not applicable to utility poles, public utility substations, fencing and infrastructure elements)

- (6.) Minimum second street frontage: Thirty feet
- (7.) Minimum pervious coverage: Twenty percent
- (8.) Maximum building height: Three hundred feet
- (9.) Chimney/antennas/vents: Three hundred feet
- (10.) Church spires/bell towers/flagpoles: One hundred five feet
- (11.) Parking Standards: One space per TWO employees for the largest shift; plus 25% to allow for shift change overlap

(12.) Land Use Buffers: Existing City buffering requirements shall apply, provided that no buffering shall be required for timbering or existing industrial uses unless there is new development or expansion of the existing uses.

(D) *Accessory uses.* Other necessary and customary accessory uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property.

(E) *Temporary uses.* Other necessary and customary temporary uses determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use of the property

(F) *Conditional uses.* As defined in § 151.028, the following uses may be approved uses by a conditional use permit.

- (1) Radio/television station or studio, with transmission tower on premises.



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PROPOSED AMENDMENTS  
**151.085 TABLES OF LAND USE  
BUFFERS**

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**TABLE OF LAND USE BUFFERS  
ADJACENT USE**

PROPOSED USE	ADJACENT USE									
	SINGLE FAMILY	MULTI-FAMILY	RESTRICTED COMMERCIAL	NEIGHBORHOOD COMMERCIAL	GENERAL COMMERCIAL AND INSTITUTIONAL	GENERAL COMMERCIAL AND INSTITUTIONAL OVER 5 ACRES	COMMERCIAL INDUSTRIAL	LIGHT INDUSTRIAL	GENERAL INDUSTRIAL	HEAVY INDUSTRIAL
Single-Family Residential (R1, R2, R3)	NA	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 3 50 - 75 feet	Buffer 4 100 - 150 feet	Buffer 5 100 - 150 feet	Buffer 5 100 - 150 feet
Multi-Family Residential (R3)	Buffer 1 15 - 30 feet	NA	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 2 30 - 50 feet	Buffer 3 50 - 75 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet
Restricted Commercial	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	NA	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet
Neighborhood Commercial	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	NA	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet
General Commercial and Institutional (GC)	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 1 30 - 50 feet	NA	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	Buffer 2 30 - 50 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet
General Commercial and Institutional Over 5 Acres	Buffer 3	Buffer 2	Buffer 2	Buffer 2 30 - 50 feet	Buffer 1	NA	NA	Buffer 1 15 - 30 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet
Commercial Industrial	Buffer 3 50 - 75 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 1 15 - 30 feet	NA	NA	Buffer 1 15 - 30 feet	Buffer 3 50 - 75 feet	NA
Light Industrial (LI)	Buffer 4 100 - 150 feet	Buffer 3 50 - 75 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 2 30 - 50 feet	Buffer 1 15 - 30 feet	Buffer 1 15 - 30 feet	NA	Buffer 3 50 - 75 feet	NA
General Industrial (GI)	Buffer 5 100 - 150 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet	NA	NA
Heavy Industrial (HI)	Buffer 5 100 - 150 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet	Buffer 4 75 - 100 feet	Buffer 3 50 - 75 feet	Buffer 3 50 - 75 feet	NA	Buffer 3 50 - 75 feet	NA	NA



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PROPOSED AMENDMENTS  
**151.105 ESTABLISHMENT OF  
DISTRICTS AND MAPS**

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## ZONING DISTRICTS AND BOUNDARIES

### § 151.105 ESTABLISHMENT OF DISTRICTS AND MAPS.

Updated Zoning, Flood Plain and City Boundary Maps can be found in the office of the Planning Director.

(A) To accomplish the purposes set forth in § 151.027, the City of Goose Creek is hereby divided into the zoning districts described below and illustrated on the zoning map approved by City Council and on file with the Planning Director and City Clerk. Regardless of the existence of copies of the zoning map, the Official Zoning map, signed by the Mayor, and located in the city offices, shall be the final authority on the zoning status of buildings and land and water areas of Goose Creek.

(B) For the purposes of these regulations, the City of Goose Creek is hereby classified according to these ten districts:

- (1) R-1 Low-Density Residential District;
- (2) R-2 Medium-Density Residential District;
- (3) R-3 High-Density Residential District;
- (4) BPO Business Professional Office District;
- ~~(5) RC Restricted Commercial District;~~
- (6) NC Neighborhood Commercial District;
- (7) GC General Commercial;
- ~~(8) CI Commercial Industrial;~~
- (9) L-1 Light Industrial District;
- (10) GI General Industrial District;
- (11) HI Heavy Industrial District;
- (12) CO Conservation and Open Space;
- (13) PD Planned Development; and
- (14) PD/MH Planned Development-Mobile Home

(1985 Code, Art. VI, § 601)

Black Text with yellow highlight represents ordinance language to be added OR renumbered

Blue strikethrough represents ordinance language to be OMITTED.



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**PROPOSED AMENDMENTS  
151.109 SPECIAL USES**

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§ 151.109 SPECIAL USES.

(A) Home occupation(s), as defined in § 151.028 may be permitted in any residential zoning district.

(B) Mobile homes established after the enactment of this chapter shall be located only in PD-MH Zoning Districts, in compliance with § 151.136(M) of these regulations. Pre-existing mobile homes are non-conforming, and shall comply with § 151.152(G) or made to conform to § 151.135.

(C) Excavation of topsoil in any residential district for removal and sale is prohibited.

(D) Condominium ownership may be used on any style of construction, subject to zoning district regulations, City of Goose Creek fire and acoustical standards and the Southern Standard Building Code. Prior to the approval of any condominium project, the legal declaration establishing the ownership association shall be submitted to the Planning Commission for review and approval by the City Attorney, according to the Horizontal Property Act (S.C. Code §§ 27-31-10 et seq.), and provisions of this chapter. All the declarations shall require the association to provide architectural control and exterior building maintenance services.

(E) Adult uses, including but not limited to those defined in § 151.028, may be allowed in General Commercial Zoning Districts, subject to the provisions of § 151.109 above, and the following:

(1) Proposed location is not within 1,500 feet from the property line of a church, public or private school, public or private recreation area, properties zoned to allow residential uses, or properties with existing residential structures.

(2) Proposed location is not within 1,500 feet of another adult use, or an establishment that sells alcoholic beverages.

(3) For the purposes of this section, distances shall be measured in a straight line between the nearest portion of the proposed adult use lot and the nearest property line of a church, school, recreation area, or property zoned to allow residential use, or property with an existing residential use.

(F) Conditional uses, by type of land use, per zoning district, are illustrated in Appendix B. (See § 151.171(C).) Determination of uses not specifically identified as permitted or conditional shall be referred to the Planning Commission for approval or identification of additional controls.

(1) Parking of implements, trailers and/or equipment used for commercial, industrial, farm or construction purposes, in residential districts, is limited to one implement, trailer or piece of equipment per residence, and the implement, trailer and/or equipment can weigh no more than 5,000 pounds;

(2) Vehicles with a gross weight in excess of 10,000 pounds, and used for commercial, industrial, farm or construction purposes are prohibited from parking in residential districts when not actively involved in commerce. It is not, however, the intent of this section to prohibit the parking of the vehicle, by the resident, for use on his or her property on a temporary basis. For the purposes of this section, gross weight shall have the same meaning as set forth in S.C. Code §§ 56-3-20(19) and 56-5-360, as amended, and as set out



on vehicle registration information issued by the Division of Motor Vehicles (DMV) of the South Carolina Department of Highways and Public Transportation; and

(3) The total number of implements, trailers, equipment and/or vehicles as set out in divisions (F)(1) and (2) above, is limited to one.

(G) Communication towers shall be reviewed as conditional uses subject to the provisions of § 151.171(C), and the following as outlined in Appendix B, with the exception that the City of Goose Creek shall be exempt from these regulations.

(1) A minimum of 50 feet setback from any residential district and use, plus two feet setback per one foot of tower height, as measured from the base of the tower. In the case of a tower or structure on a building, the additional setback shall be measured from the base of the building.

(2) For the purposes of this section, distances shall be measured in a straight line between the nearest portion of the proposed communication tower lot and the nearest property line of a property zoned to allow residential use, or property with an existing residential use.

(3) The proposed structure shall not endanger the health and safety of residents, employees or travelers, including, but not limited to, the likelihood of the failure of the structures.

(4) The proposed tower is located in an area where it will not substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties.

(5) The proposed tower is not located within 1,000 feet of another tower.

(6) The proposed user has attempted to co-locate on existing towers and structures especially on any publicly owned and/or operated building, facility or land, and is willing to allow other users to co-locate on the proposed tower in the future, subject to engineering capabilities of the tower. At the time of permit application, satisfactory evidence shall be submitted that alternative towers, buildings or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.

(7) Towers located on existing buildings and structures are preferable to the construction of new towers.

(8) Towers located in commercial areas shall not exceed a height of 150 feet and towers located in light industrial areas shall not exceed a height of 300 feet. Towers shall be constructed for future co-location opportunity subject to engineering capabilities of that design.

(9) To the extent possible, all new towers proposed for upgrades with new equipment shall employ techniques to hide the towers.

(10) All towers which have been abandoned as defined in § 151.152(C) shall be removed within 120 days of the date it is taken out of service.

(11) A site plan, elevation drawing(s), photographs and construction documents with an engineer's stamp and other appropriate documentation shall be submitted with the construction permit request for conditional use which provide the following information:

(a) Site plan must include the location of tower(s), guy anchors (if any), transmission building and other accessory uses, parking access, fences and adjacent land use.

Landscaping and required buffering shall also be shown;

(b) Elevation drawings shall clearly show the design of the tower and materials to be used; and

(c) Photographs shall show the proposed site and the immediate area. Submittal of other detailed information, such as topography and aerial view, which supports the request are encouraged at the option of the applicant.

(12) Landscaping and fencing are to be provided as follows:

(a) An eight-foot high fence shall be provided around the tower and any associated building;

(b) Around the base of the tower, outside of the fencing, a buffer screen shall be provided subject to the provisions of § 151.085(A)(1) through (3). Landscaping shall be required in accordance with § 151.083;

(c) Towers and structures shall be illuminated only to the extent required by applicable federal or state statute or regulation;

(d) No signage is permitted except as is required by applicable state or federal law, rule or regulation. Signs for the purpose of identification, warning, emergency function or contact may be placed as required by standard industry practice;

(e) Communication towers and structures located in ~~Commercial and~~ Light Industrial Districts shall be subject to the review and approval by the Architectural Review Board; and

(f) Communication towers and structures shall be earth tone colors, except as otherwise required by applicable federal or state statute or regulation.

(H) Tattoo facilities as defined in § 151.028, may be allowed in the General Commercial, ~~Commercial Industrial~~, Light Industrial, and General Industrial Zoning Districts, subject to the provisions of § 151.109 above, and the following:

(1) Proposed location is not within 1,000 feet form the property line of a church, public or private recreation area, properties zoned to allow residential uses, or properties with existing residential structures.

(2) For the purposes of this section, the distance must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of a church, public or private school, public or private recreation area, properties zoned to allow residential uses, or properties with existing residential structures.

(3) Must meet all the licensure and certification requirements as outlined by the South Carolina Department of Health and Environmental Control (DHEC).

(1985 Code, Art. VI, § 605) (Ord. 90-04, passed 3-13-1990; Ord. 92-03, passed 5-5-1992; Ord. 97-002, passed 1-14-1997; Ord. 96-012, passed 10-8-1996; Ord. 99-013, passed 8-10-1999; Ord. 11-009, passed 7-12-2011; Ord. 17-019, passed 8-8-2017)



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**PROPOSED AMENDMENTS  
151.132 COMMERCIAL  
INDUSTRIAL DISTRICT  
REPEAL IN ITS ENTIRETY**

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~~§ 151.132 COMMERCIAL INDUSTRIAL DISTRICT.~~

~~—(A) Purpose.~~

~~—(1) To develop and reserve areas for commercial industrial uses that involve moderate-scale and intensity, require a larger than typical land area for its use, and/or the aesthetics of the property are not consistent at a larger scale with other less-intense commercial uses; and~~

~~—(2) To reserve undeveloped areas suitable for future uses.~~

~~—(B) Permitted uses. The following are approved uses by right.~~

~~—(1) Residential uses. Watchman's or caretaker's dwelling located on the premises with the permitted use, and occupied by a company employee.~~

~~—(2) Educational uses.~~

~~—(a) Licensed nursery or preschool facility.~~

~~—(b) Public library or museum, provided no structure is located within 30 feet of property boundaries on a minimum two-acre site.~~

~~—(c) Public/private school, including business, trade or vocational school, on a minimum five-acre site, and no structure or parking within 50 feet of property boundaries.~~

~~—(3) Recreational uses.~~

~~—(a) Private recreation facility of at least two acres, with no structure located within 30 feet of property boundaries.~~

~~—(b) Public recreational facility.~~

~~—(c) Semi-public club, lodge, union hall or social center, provided no residential or commercial activity is conducted on the premises.~~

~~—(4) Office, governmental, institutional uses.~~

~~—(a) Any publicly-owned and/or operated building, facility or land.~~

~~—(b) Office for professional or administrative support services such as word processing, printing, computer graphics, and the like.~~

~~—(c) Public transportation terminal/passenger facility.~~

~~—(d) Public utility substation installed in compliance with buffer and screening requirements, and fenced to control access.~~

~~—(e) Railroad rights-of-way, excluding all facilities other than those required for track operations.~~

~~—(5) Commercial uses.~~

~~—(a) Automotive, boat, mobile home, and recreational vehicles sales, service, and repair.~~

~~—(b) Automotive/equipment repair garage offering major repairs, body and fender repairs, and painting.~~

~~—(c) Boarding kennel—pet shop requirements apply.~~

~~—(d) Commercial farm, orchard, or nursery, with retail and/or wholesale sales.~~

~~—(e) Emergency medical care facility.~~

~~—(f) Enterprise rendering a personal or business service, or restricted retail store of a specific product.~~

- ~~(g) Funeral home or mortuary, with or without crematorium.~~
- ~~(h) Gasoline/fuel sales outlet, with or without accompanying convenience store, with pumps/fuel storage tanks set back at least 20 feet from boundaries, and no major repairs or body repairs.~~
- ~~(i) Laundry/dry cleaner for processing items delivered to the premises by retail customers; plant facilities.~~
- ~~(j) Microbrewery.~~
- ~~(k) Other enterprise (grocery, home furnishings, hardware, banking) having less than 5,000 square feet of floor area.~~
- ~~(l) Pet shop, with all animals housed within the principal building, and no noise or odor is perceptible beyond the property boundaries.~~
- ~~(m) Printing facility.~~
- ~~(n) Research or laboratory facility, whereby there are no potentially hazardous materials onsite at any time.~~
- ~~(o) Unrestricted commercial activities such as grocery stores, department stores, variety stores, drug stores, building supply, restaurants, clubs and bars allowing on-premises consumption.~~
- ~~(p) Veterinary clinic/animal hospital, with or without boarding facilities (pet shop requirements apply).~~
- ~~(6) Commercial industrial uses:~~
  - ~~(a) Automotive, truck, boat, RV, and/or equipment repair garage offering major repairs, body and fender repairs, and painting, where repairs are made outside the business structure and/or where damaged vehicles or equipment are stored outside.~~
  - ~~(b) Automotive towing/storage.~~
  - ~~(c) Commercial laundry/dry cleaning plant facility.~~
  - ~~(d) Heavy equipment, machinery, heavy truck sales, service, and repair.~~
  - ~~(e) Radio/television station or studio, with transmission tower on premises.~~
  - ~~(f) Storage of recreational vehicles.~~
  - ~~(g) Warehousing, mini-warehouses.~~
- ~~(B) Lot, yard, height and coverage. These requirements are illustrated in Appendix D.~~
- ~~(C) Accessory uses. Accessory uses, as defined in § 151.028, are permitted as illustrated in Appendix C.~~
- ~~(D) Temporary uses. Temporary uses as defined in § 151.028 and with prior approval of the Zoning Administrator.~~
- ~~(E) Conditional uses. As defined in § 151.028, the following uses may be approved uses by a conditional use permit.~~
  - ~~(1) Cemetery (permanent barrier/screening wall required).~~
  - ~~(2) Governmental, business, professional, or general purpose office, excluding storage, repair, or rental of equipment on premises.~~
  - ~~(3) Places of worship located on major thoroughfares or collector streets, subject to zone minimum setback standards.~~

~~(Ord. 16-009, passed 6-14-2016)~~



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PROPOSED AMENDMENTS  
**151.133 LIGHT INDUSTRIAL  
DISTRICT**

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§ 151.133 LIGHT INDUSTRIAL DISTRICT.

(A) Purpose.

(1) To develop and reserve areas for light industrial uses that involve commerce, manufacturing, warehousing, assembly, or processing of a nonnuisance nature, and that can be conducted wholly within a structure and do not produce smoke, odors, or excessive noise; and

(2) To reserve undeveloped areas suitable for future uses.

(B) Permitted uses. The following are approved uses by right.

(1) Residential uses. Watchman's or caretaker's dwelling located on the premises with the permitted use, and occupied by a company employee.

(2) Educational uses. Public/private school, including business, trade or vocational school, on a minimum five acre site, and no structure or parking within 50 feet of property boundaries.

(3) Recreational uses.

(a) Public recreational facility.

(b) Semi-public club, lodge, union hall or social center, provided no residential or commercial activity is conducted on premises.

(4) Office, governmental, institutional uses.

(a) Any publicly-owned and/or operated building, facility or land.

(b) Public transportation terminal or passenger facility.

(c) Public utility substation installed in compliance with buffer and screening requirements, and fenced to control access.

(d) Railroad rights-of-way, excluding all facilities other than those required for track operations.

(5) Commercial uses.

(a) Commercial laundry/dry cleaning plant facility.

(b) Emergency medical care facility.

(c) Gasoline/fuel sales outlet, with or without accompanying convenience store, with pumps/fuel storage tanks set back at least 20 feet from boundaries, and no major repairs or body repairs.

(d) Mini-warehouses, where interior units are fully enclosed within a single building structure, and access to all units is from a common entrance into the building.

(e) Research or laboratory facility, whereby there are no potentially hazardous materials onsite at any time.

~~(6) Commercial industrial uses.~~

~~(a) Radio/television station or studio, with transmission tower on the premises.~~

~~(b) Storage of recreational vehicles.~~

(7) Light industrial uses.

(a) Assembly of products or materials.

(b) Distribution center.

(c) Materials handling.

- (d) Parcel services.
  - (e) Production or manufacturing facility, whereby there is no exterior indication of manufacturing.
  - (f) Research facility.
  - (g) Warehousing/distribution.
  - (C) Lot, yard, height and coverage. These requirements are illustrated in Appendix D.
  - (D) Accessory uses. Accessory uses, as defined in § 151.028, are permitted as illustrated in Appendix C.
  - (E) Temporary uses. Temporary uses as defined in § 151.028 and with prior approval of the Zoning Administrator.
  - (F) Conditional uses. As defined in § 151.028, the following uses may be approved uses by a conditional use permit.
    - (1) Cemetery (permanent barrier/screening wall required).
    - (2) Commercial farm, orchard or nursery, with retail and/or wholesale sales made on the premises.
    - (3) Communication towers.
    - (4) Country club, tennis club, swimming club, or golf course, provided no lighting impacts adjacent uses.
    - (5) Places of worship located on major thoroughfares or collector streets, subject to zone minimum setback standards.
    - (6) Radio/television station or studio, with transmission tower on premises.
- (1985 Code, Art. VII, § 707) (Ord. 16-009, passed 6-14-2016)





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PROPOSED AMENDMENTS  
**151.134 GENERAL INDUSTRIAL  
DISTRICT**

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§ 151.134 GENERAL INDUSTRIAL DISTRICT.

(A) Purpose.

(1) To develop and reserve areas for general industrial uses that involve industrial and manufacturing uses of a larger and more intensive scale, and that may generate substantially more impact on the surrounding properties, such as unenclosed storage, emissions, and noise; and

(2) To reserve undeveloped areas suitable for future uses.

(B) Permitted uses. The following are approved uses by right.

(1) Residential uses. Watchman's or caretaker's dwelling located on the premises with the permitted use, and occupied by a company employee.

(2) Office, governmental, institutional uses.

(a) Any publicly-owned and/or operated building, facility or land.

(b) Public transportation terminal/passenger facility.

(c) Public utility substation installed in compliance with buffer and screening requirements, and fenced to control access.

(d) Railroad rights-of-way, excluding all facilities other than those required for track operations.

(3) Commercial uses.

(a) Automotive/equipment repair garage offering major repairs, body and fender repairs, and painting.

(b) Emergency medical care facility.

(c) Gasoline/fuel sales outlet, with or without accompanying convenience store, with pumps/fuel storage tanks set back at least 20 feet from boundaries, and no major repairs or body repairs.

(d) Research or laboratory facility, whereby there are no potentially hazardous materials onsite at any time.

~~—(4) Commercial industrial uses.~~

~~—(a) Automotive, truck, boat, RV, and/or equipment repair garage offering major repairs, body and fender repairs, and painting, where repairs are made outside the business structure, and/or where damaged vehicles or equipment are stored outside.~~

~~—(b) Automotive towing/storage.~~

~~—(c) Commercial laundry/dry cleaning plant facility.~~

~~—(d) Heavy equipment, machinery, heavy truck sales, service, and repair.~~

~~—(e) Mini-warehouses.~~

~~—(f) Storage of recreational vehicles.~~

(5) Light industrial uses.

(a) Assembly of products or materials.

(b) Distribution center.

(c) Parcel services.

(d) Production or manufacturing facility, whereby there is no exterior indication of manufacturing.

- (e) Research facility.
  - (f) Materials handling.
  - (g) Warehousing/distribution.
  - (6) General industrial uses.
    - (a) Cold storage plant.
    - (b) Concrete production plant.
    - (c) Freight container storage yard.
    - (d) Fuel storage facility.
    - (e) Light and heavy manufacturing.
    - (f) Natural resource production (excavation of mineral deposits).
    - (g) Research or storage facilities, with potentially hazardous or flammable materials.
    - (h) Sanitary landfills.
    - (i) Scrap yards, scrap service.
    - (j) Stockpiling of sand, gravel or other materials.
    - (k) Transportation terminal for heavy trucks, commercial freight transfer and distribution center.
    - (l) Waste disposal/recycling centers.
  - (C) Lot, yard, height and coverage. These requirements are illustrated in Appendix D.
  - (D) Accessory uses. Accessory uses, as defined in § 151.028, are permitted as illustrated in Appendix C.
  - (E) Temporary uses. Temporary uses as defined in § 151.028 and with prior approval of the Zoning Administrator.
  - (F) Conditional uses. As defined in § 151.028, the following uses may be approved uses by a conditional use permit.
    - (1) Communication tower.
    - (2) Radio/television station or studio, with transmission tower on premises.
- (Ord. 16-009, passed 6-14-2016)



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**PROPOSED AMENDMENTS  
APPENDIX A: TABLE OF PARKING AND  
LOADING SPACE REQUIREMENTS**

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## APPENDIX A: TABLE OF PARKING AND LOADING SPACE REQUIREMENTS

*Table of Parking Space Requirements*

	<i>Required Spaces</i>	<i>Additional Requirements</i>
<b>RESIDENTIAL</b>		
Single-family dwelling	2 spaces	
Duplex/two-family dwelling	4 spaces	
Multi-family dwelling	2 spaces per unit	+12% of total for overflow parking
Mobile home in mobile home park	2 spaces	+ 1 space per employee
Mobile home park	2 spaces per lot/space	+ 1 space per employee
Rooming/boarded house	1 space per sleeping room	+ 1 space per 2 employees
Group dwelling	1 space per 2 bedrooms	
Nursing home/sanitarium	1 space per 5 patient beds	+ 1 space per each 2 employees on largest shift
<b>RELIGIOUS</b>		
Churches and places of worship	1 space per 5 fixed seats in the main assembly hall	Or, 1 space per classroom, whichever is greater
<b>Educational</b>		
Public/private school, trade or business school, or college	greater of: 1 space per 4 seats in assembly hall, or 5 spaces per classroom	+ 1 space per employee
Library, museum, art gallery, arts, crafts, or dance studio	10 spaces	+ 1 space per employee
Nursery or pre-school/day-care	1 space per classroom (5 space minimum)	+ 1 space per employee
Places of public assembly	1 space per 100 sq. ft. in main assembly hall	
<b>RECREATIONAL</b>		
Country club, tennis club, swim club, golf course	1 space per 5 members	+ 1 space per each 2 employee
Private recreation facility	1 space per 5 members	+ 1 space per employee
Club, fraternity, sorority, lodge or union hall	1 space per active member	
Places of public assembly	1 space per 100 square feet in main assembly hall	
**Recreation and community center	minimum of 1 space per 200 square feet of floor area	
<b>OFFICE</b>		
Public or private office building	1 space per 300 square feet of floor area (4 spaces minimum)*	
Advertising agency, realty office, insurance office	1 space per 300 square feet of floor area (4 spaces minimum)*	

Radio/television station or studio	1 space per 500 square feet of floor area (4 spaces minimum)*	+1 space per employee
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**COMMERCIAL**

Bank, savings and loan assoc. or similar lending institutions	1 space per 200 square feet of floor area *	
Service or repair establishment, not otherwise mentioned	1 space per 250 square feet of floor area excluding storage *	
Retail business not otherwise mentioned	1 space per 200 square feet of floor area excluding storage (3 space min.)*	+ 1 space per employee
Theatre, night club, and similar places of assembly	1 space per each 4 seating accommodations	+ 1 space per each 3 employees on largest shift
Automotive repair	1 space per employee	+ 1 space per each service bay; 10 space minimum***
Motel, hotel, tourist home	1 space per sleeping room or suite	+ 1 space per each 3 employees
Furniture, appliance, equipment, automotive, boat sales and the like	1 space per 300 square feet retail floor area (3 min.)	Except that auto sales and service have 10 space min.
Bowling alley or center	5 spaces per lane	
Funeral home or mortuary	1 space per 50 sq. ft. of floor area minus work & storage areas *	
Planned shopping center	5 spaces per 1,000 sq. ft. of leaseable area *	
Sit down restaurant	1 space per each 4 seats	+ 1 space per employee on the largest shift
Drive-in restaurant	1 space per 35 sq. ft. of bldg. area *	+ 1 space per employee on largest shift
Take-out restaurant	1 space per 100 sq. ft. of bldg. area *	+ 1 space per employee on the largest shift
Hospital or extended care medical facility	1 space per every 5 patient beds	+ 1 space per each 2 regular employees on the largest shift
Common carrier transportation and/or passenger terminal	1 space per 100 sq. ft. of waiting room (10 space min.)	+ 1 space per employee on the largest shift
Other uses not otherwise specifically mentioned	Established by the Zoning Administrator	Established by the Zoning Administrator
Manufacturing, processing, bulk warehousing, brick/block/coal yard, lumber mill	1 space for each 2 employees on the largest shift (5 spaces minimum)	+ 1 space for each vehicle operating from the premises
Transportation terminal for heavy vehicles, commercial freight distribution and transfer	1 space for each employee (5 spaces minimum)	+ 1 space for each vehicle operating from the premises

**INDUSTRIAL**

Country club, tennis club, swim club, golf course	1 space per 2 employees for the largest shift	+25% for largest shift change
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\*\*\* NOTE: Amended as of March 14, 2017. Ordinance Number 17-005

\*\* NOTE: Amended as of February 14, 1995. Ordinance Number 95-01

\* NOTE: Amended as of March 14, 1995, Ordinance No. 95-02

<b>Table of Off-Street Loading Space Requirements</b>		
<b>Type of Uses</b>	<b>Total Floor Area (Sq.</b>	<b>Spaces Required</b>
Commercial, retail and personal Service establishments	0 - 1,999	None
	2,000 - 24,999	1
	For each additional	1 additional
Wholesale, manufacturing, governmental, and institutional (including places of public assembly), hospital, educational institution, recreational facility, business service, terminal or similar business uses	0 - 24,999	None
	25,000 - 49,999	1
	50,000 - 99,999	2
	100,000 - 249,999	3
	250,000 - 999,999	4
	1,000,000 or more	5
Funeral home or mortuary	0 - 2,499	None
	2,500 - 3,999	1
	4,000 - 5,999	2
	For each additional	1 additional
Offices and office buildings	0 - 4,999	None
	5,000 - 9,999	1
	10,000 - 20,000	1 additional
	For each additional	1 additional

(1985 Code, Annex A) (Ord. 95-01, passed 2-14-1995; Ord. 95-02, passed 3-14-1995; Ord. 15-008, passed 8-11-



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PROPOSED AMENDMENTS  
APPENDIX B: TABLE OF LAND USES

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LEGEND:	APPENDIX B: TABLE OF LAND USE													
+ - Permitted*	R1)-Low Density Residential, R2)-Medium Density Residential, R3)-High Density Residential													
? - Conditional**	BPO)-Business Professional Office, RC)-Restricted Commercial, Neighborhood Commercial, GC)-General Commercial													NC)-
x - Prohibited	<del>CI)-Commercial Industrial</del> , LI)-Light Industrial, GI)-General Industrial, HI)-Heavy Industrial													
() - Notes	CO)-Conservation Open Space, PD)-Planned Development, PD/MH)-Planned Development Mobile Home													
RESIDENTIAL***	R1	R2	R3	BPO	RC	NC	GC	CI	LI	GI	HI	CO	PD	PD/MH
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)
Any publicly-owned facility or building or land, provided no vehicles are stored overnight except at police/fire stations and substations	?	?	?	X	+	+	+	+	+	+	+	+	(1)	(1)
Customary home occupations (as defined in § 151.028)	+	+	+	X	+	+	X	X	X	X	X	X	(1)	(1)
Detached single-family dwelling	+	+	+	X	+	+	X	X	X	X	X	+	(1)	(1)
Duplex and two-family dwellings	X	X	+	X	+	+	X	X	X	X	X	X	(1)	(1)
Group dwelling (as defined in § 151.028)	X	X	X	X	X	+	?	X	X	X	X	X	(1)	(1)
Multi-family dwellings, apartments including garden apartments, townhouses, patio homes and the like	X	X	?	X	?	?	?	X	X	X	X	X	(1)	(1)
Nursing home or public/private care home, but not an establishment administering outpatient or medical treatment for fees	X	X	+	X	X	+	?	X	X	X	X	X	(1)	(1)
Temporary uses (§ 151.066) Zoning Administrator approval required	+	+	+	X	+	+	+	+	+	+	+	+	+	+
Watchman's or caretaker's dwelling located on the premises with the permitted use, and occupied by a company employee	?	?	+	X	+	+	+	+	+	+	+	?	(1)	(1)
RELIGIOUS***	R1	R2	R3	BPO	RC	NC	GC	CI	LI	GI	HI	CO	PD	PD/MH
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)
Cemetery (permanent barrier/screening wall required)	?	?	?	X	?	?	?	?	?	X	X	?	(1)	(1)
Places of worship located on major thoroughfares or collector streets, subject to zone minimum setback standards	N/A	N/A	N/A	X	+	+	?	?	?	X	X	X	(1)	(1)
Places of worship, with no structure or parking within 50 feet of property lines, and located on major or collector streets	+	+	+	+	N/A	N/A	N/A	N/A	N/A	X	X	X	(1)	(1)
Temporary uses (§ 151.066) Zoning Administrator approval required	+	+	+	+	+	+	+	+	+	+	+	+	+	+
EDUCATIONAL***	R1	R2	R3	BPO	RC	NC	GC	CI	LI	GI	HI	CO	PD	PD/MH
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)
Business, trade, or vocational school	X	X	X	X	X	X	+	+	+	X	X	X	(1)	(1)
Licensed nursery or preschool facility	X	X	+	X	+	+	+	+	X	X	X	X	(1)	(1)

Public library or museum, provided no structure is located within 30 feet of property boundaries on a minimum 2 acre site	?	?	+	+	+	+	+	+	+	X	X	X	?	(1)	(1)
Public/private school (not trade or business) on a minimum 5 acre site, and no structure or parking within 50 feet of property boundaries	+	+	+	X	+	+	+	+	+	+	X	X	X	(1)	(1)
Temporary uses (§ 151.066) Zoning Administrator approval required	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
<b>RECREATIONAL***</b>	R1	R2	R3	BPO	RC	NC	GC	GI	LI	GI	HI	CO	PD	PD/MH	
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)	
Country club, tennis club, swimming club, or golf course, provided no lighting impacts on adjacent uses	+	+	+	X	+	+	+	?	X	X	+	?	(1)	(1)	
Private recreation facility of at least 2 acres, with no structure located within 30 feet of property boundaries	+	+	+	X	+	+	+	+	X	X	+	?	(1)	(1)	
Public recreation facility, provided no structure is located within 30 feet of boundaries, and no overnight storage of vehicles/equipment	+	+	+	X	+	+	+	+	+	X	+	X	(1)	(1)	
Semi-public club, lodge, union hall or social center, provided no residential or commercial activity is conducted on premises	X	X	X	X	+	+	+	+	+	X	+	X	(1)	(1)	
<b>OFFICE, GOVERNMENT, INSTITUTIONAL***</b>	R1	R2	R3	BPO	RC	NC	GC	GI	LI	GI	HI	CO	PD	PD/MH	
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)	
Any publicly-owned building, facility or land, provided no vehicles are stored overnight except at police/fire station and substation	?	?	?	X	+	+	+	+	+	+	+	+	(1)	(1)	
Business office for services specific to a profession such as an attorney, accountant, advertising, insurance, real estate, and the like	X	X	X	+	+	+	+	+	X	X	X	X	(1)	(1)	
Governmental, business, professional, or general purpose office, excluding storage, repair, or rental of equipment on premises	X	X	X	+	+	+	+	?	X	X	X	X	(1)	(1)	
Office for professional or administrative support services such as word processing, printing, computer graphics, and the like	X	X	X	+	+	+	+	+	X	X	X	X	(1)	(1)	
Professional healthcare offices such as medical, dental, chiropractic offices, and the like	X	X	X	+	+	+	+	+	X	X	X	X	(1)	(1)	
Public transportation terminal/passenger facility	X	X	X	X	+	+	+	+	+	+	+	X	X	X	
Public utility substation installed in compliance with buffer and screening requirements, and fenced to control access	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)	
Railroad rights-of-way, excluding all facilities other than those required for track operations	+	+	+	+	+	+	+	+	+	+	+	+	+	+	

<b>COMMERCIAL***</b>	R1	R2	R3	BPO	RC	NC	GC	GI	LI	GI	HI	CO	PD	PD/MH
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)
Arts, crafts, or dance studio; art gallery	X	X	X	X	+	+	+	+	X	X	X	X	(1)	(1)
Automobile, boat, mobile home, and recreational vehicle sales, service, and repair	X	X	X	X	X	X	+	+	X	+	+	X	(1)	(1)
Automotive/equipment repair garage offering major repairs, body and fender repairs and painting	X	X	X	X	X	X	+	+	+	+	+	X	(1)	(1)
Combination commercial/residential structure not over 4 stories, provided no dwellings on first floor, and all dwellings have street access	X	X	X	X	?	?	?	+	X	X	X	X	(1)	(1)
Commercial farm, orchard or nursery, with retail and/or wholesale sales made on the premises	X	X	X	X	X	?	+	+	?	X	X	?	(1)	(1)
Emergency medical care facility	X	X	? (4)	X	+	+	+	+	+	+	+	X	(1)	(1)
Enterprise rendering a personal or business service, or restricted retail activity (as defined in § 151.028) in a specific product category	X	X	X	X	(5)	+	+	+	X	X	X	X	(1)	(1)
Funeral home or mortuary (excluding crematorium)	X	X	X	X	X	+	+	+	+	X	X	X	(1)	(1)
Funeral home or mortuary with crematorium	X	X	X	X	X	X	+	+	+	X	X	X	(1)	(1)
Gasoline/fuel sales outlet, with or without sales of accessories, sundries, notions, and snacks, with pumps set back a minimum of 20 feet from all property boundaries	X	X	X	X	X	+	+	+	+	+	+	X	(1)	(1)
Hospital	X	X	?	X	X	X	+	+	X	X	X	X	(1)	(1)
Hotel or tourist home	X	X	X	X	?	?	+	+	X	X	X	X	X	X
Laundry/dry cleaner for processing items delivered to the premises by retail customers only	X	X	X	X	X	+	+	+	X	X	X	X	(1)	(1)
Microbrewery	X	X	X	X	X	X	+	+	+	+	+	X	?	X
Mini-warehouses, where storage units are fully enclosed within a single building structure, and access to all units is from a common entrance into the building (Ref. § 151.131)	X	X	X	X	X	X	+	+	+	+	+	X	(1)	(1)
Nursing home or extended care facility offering outpatient or medical services for a fee	X	X	X	X	X	+	?	+	X	X	+	X	(1)	(1)
Other enterprises (grocery, home furnishings, hardware, banking, meat/fish/poultry shop) having less than 5,000 sq. ft. of floor area	X	X	X	X	X	-6	+	+	X	X	X	X	(1)	(1)
Pet shop, with all animals housed within the principal building, and no noise or odor is perceptible beyond the property boundaries	X	X	X	X	X	+	+	+	X	X	+	X	(1)	(1)
Pet or animal boarding kennel - pet shop requirements apply	X	X	X	X	X	X	+	+	X	X	+	X	(1)	(1)

Printing shop	X	X	X	X	X	X	+	+	?	+	+	X	(1)	(1)
Radio/television station or studio (excluding transmission towers)	X	X	X	X	+	+	+	+	+	X	X	X	(1)	(1)
Research or laboratory facility, whereby there are no potentially hazardous materials onsite at any time	X	X	X	+	X	X	+	+	+	+	+	X	(1)	(1)
Specialty shops such as a florist, news stand, gift shop, boutique, and the like	X	X	X	X	+	+	+	X	X	X	X	X	(1)	(1)
Unrestricted commercial activities such as super- markets, department stores, variety stores, drug stores, building supply, restaurants (sit down/drive-in), clubs/bars allowing on premises consumption	X	X	X	X	X	X	+	+	X	X	X	X	(1)	(1)
Tattoo facilities (§ 151.028)	X	X	X	X	X	X	+	+	+	+	+	X	?	X
Temporary uses (§ 151.066) Zoning Administrator approval required	+	+	+	+	+	+	+	+	+	+	+	+	+	+
Veterinary clinic/animal hospital without boarding facilities	X	X	X	+	+	+	+	+	X	X	X	X	(1)	(1)
Veterinary clinic/animal hospital with boarding facilities (all animals must be housed in the principal building - see pet shop)	X	X	X	X	X	+	+	+	X	X	X	X	(1)	(1)
<b>Commercial Industrial***</b>	R1	R2	R3	BPO	RC	NC	GC	CI	LI	GI	CO	PD	PD/M	
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)	
Automotive, truck, boat, RV and/or equipment repair garage offering major repairs, body and fender repairs, and painting, where work is being performed outside and/or the number of vehicles exceeding the number of bays are being stored outside	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
Automotive towing/storage	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
Commercial laundry/dry cleaning plant	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
Heavy equipment, machinery, heavy truck sales, service, and repair	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
Radio/television station or studio, with transmission tower on premises	X	X	X	X	X	X	X	X	?	?	X	(1)	(1)	
Storage of recreational vehicles	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
Warehousing, mini-warehouses, with units having access from exterior of unit (Ref. § 151.131)	X	X	X	X	X	X	X	+	X	+	X	(1)	(1)	
<b>Light Industrial***</b>	R1	R2	R3	BPO	RC	NC	GC	CI	LI	GI	CO	PD	PD/M	
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)	
Any publicly owned and/or operated building, facility or land	X	X	X	X	?	?	+	+	+	+	+	(1)	(1)	
Assembly of products or materials	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)	
Communication towers, including cell phone, television, and radio	X	X	X	X	X	X	X	X	?	?	X	(1)	(1)	
Distribution center	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)	

Light industrial uses (manufacturing, open-yard storage of materials and/or display of equipment, bulk warehousing)	X	X	X	X	X	X	X	X	+	+		X	(1)	(1)
Materials handling	X	X	X	X	X	X	X	X	+	+		X	(1)	(1)
Parcel services	X	X	X	X	X	X	X	X	+	+		X	(1)	(1)
Production or manufacturing facility, whereby there is no exterior indication of manufacturing	X	X	X	X	X	X	X	X	+	+		X	(1)	(1)
Radio/television transmission towers	X	X	X	X	X	X	X	X	?	?		X	(1)	(1)
Research or storage facilities, with potentially hazardous or flammable materials	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Warehousing/distribution	X	X	X	X	X	X	X	X	+	+		X	(1)	(1)
<b>General Industrial***</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>BPO</b>	<b>RC</b>	<b>NC</b>	<b>GC</b>	<b>CI</b>	<b>LI</b>	<b>GI</b>		<b>CO</b>	<b>PD</b>	<b>PD/MH</b>
Cold storage plant	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Communication towers	X	X	X	X	X	X	X	X	?	?		X	(1)	(1)
Concrete production plants	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Freight container storage yard	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Fuel storage facilities	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Light and heavy manufacturing	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Natural resource production (excavation of mineral deposits)	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Research or storage facilities, with potentially hazardous or flammable materials	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Sanitary landfills	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Scrap yards, scrap service	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Stockpiling of sand, gravel, or other materials	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
Temporary uses (§151.066) Zoning Administrator approval required	+	+	+	X	+	+	+	+	+	+		+	+	+
Transportation terminal for heavy trucks, commercial freight transfer and distribution center	X	X	X	X	X	X	X	X	?	+		X	(1)	(1)
Waste disposal/recycling centers	X	X	X	X	X	X	X	X	X	+		X	(1)	(1)
<b>INDUSTRIAL***</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>BPO</b>	<b>RC</b>	<b>NC</b>	<b>GC</b>	<b>CI</b>	<b>LI</b>	<b>GI</b>	<b>HI</b>	<b>CO</b>	<b>PD</b>	<b>PD/MH</b>
Accessory uses (§151.108 and App. C and D)	+	+	+	+	+	+	+	+	+	+	+	+	(1)	(1)
Air monitoring devices	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)
Aluminum production, reduction, smelting and refining facilities	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)
Animal Shelter/Kennels	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)
Any publicly-owned and/or operated building, facility or land	X	X	X	X	?	?	+	+	+	+	+	+	(1)	(1)
Assembly of products or materials	X	X	X	X	X	X	X	X	+	+	+	X	(1)	(1)
Automotive towing/storage	X	X	X	X	X	X	X	+	X	+	+	X	(1)	(1)

Automotive, truck, boat, RV and/or equipment repair garage offering major repairs, body and fender repairs, and painting, where work is being performed outside and/or the number of vehicles exceeding the number of bays are being stored outside	X	X	X	X	X	X	X	+	X	+	+	X	(1)	(1)
Cold storage plant	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)
Commercial laundry/dry cleaning plant	X	X	X	X	X	X	X	+	X	+	+	X	(1)	(1)
Commercial, transportation (Fleet hub)	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Communication towers	X	X	X	X	X	X	X	*	?	?	?	X	(1)	(1)
Communication towers, including cell phone, television, and radio	X	X	X	X	X	X	X	*	?	?	?	X	(1)	(1)
Concrete production plants	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Distribution center	X	X	X	X	X	X	X	*	+	+	+	X	(1)	(1)
Freight container storage yard	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)
Fuel storage facilities	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)
Gun range (outdoor)	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Heavy equipment, machinery, heavy truck sales, service, and repair	X	X	X	X	X	X	X	+	X	+	+	X	(1)	(1)
Light and heavy manufacturing	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)
Light industrial uses (manufacturing, open yard storage of materials and/or display of equipment, bulk warehousing)	X	X	X	X	X	X	X	*	+	+	+	X	(1)	(1)
Manufacturing services	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Materials handling	X	X	X	X	X	X	X	*	+	+	+	X	(1)	(1)
Natural resource production (excavation of mineral deposits)	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Office uses as standalone or part of another allowed use	X	X	X	X	X	X	+	*	+	+	+	X	(1)	(1)
Other necessary and customary uses determined by the Zoning Administrator to be appropriate, incidental and subordinate to the principal use of the property	+	+	+	+	+	+	+	*	+	+	+	+	(1)	(1)
Parcel services	X	X	X	X	X	X	X	*	+	+	+	X	(1)	(1)
Production or manufacturing facility, whereby there is no exterior indication of manufacturing	X	X	X	X	X	X	X	*	+	+	+	X	(1)	(1)
Public transportation terminal/passenger facility	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Radio/television station or studio, with transmission tower on premises	X	X	X	X	X	X	X	*	?	?	?	X	(1)	(1)
Radio/television transmission towers	X	X	X	X	X	X	X	*	?	?	?	X	(1)	(1)
Research or storage facilities, with potentially hazardous or flammable materials	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)
Sanitary landfills	X	X	X	X	X	X	X	*	X	X	+	X	(1)	(1)
Scrap yards, scrap service	X	X	X	X	X	X	X	*	X	+	+	X	(1)	(1)

Stockpiling of sand, gravel, or other materials	X	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)
Storage of recreational vehicles	X	X	X	X	X	X	X	X	+	+	+	X	(1)	(1)
Storage uses associated with aluminum production or timbering	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)
Temporary uses (§ 151.066) Zoning Administrator approval required	+	+	+	X	+	+	+	+	+	+	+	+	+	+
Timbering operations	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)
Transportation terminal for heavy trucks, commercial freight transfer and distribution center	X	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)
Warehousing, mini- warehouses, with units having access from exterior of unit (Ref. § 151.131)	X	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)
Warehousing/distribution	X	X	X	X	X	X	X	X	+	+	+	X	(1)	(1)
Waste disposal/recycling centers	X	X	X	X	X	X	X	X	X	+	+	X	(1)	(1)
Wholesale sales	X	X	X	X	X	X	X	X	X	X	+	X	(1)	(1)

**\*\*Conditional uses are subject to Zoning Board of Appeals approval (§ 151.171).**

- NOTES:**
- (1) Commission subject to the approval of City Council (§ 151.136).
  - (2) Restricted nature of the zone.
  - (3) Street access.
  - (4) Urgent care medical facilities must be on major thoroughfares.
  - (5) Sale of beer, wine, or alcoholic liquors prohibited.
  - (6) On premises consumption of beer, wine, and alcoholic liquors prohibited.

(1985 Code, Annex B) (Ord. 11-009, passed 7(1)2-2011; Am. Ord. 12-004, passed 6(1)2-2012; Ord. 16-009, passed 6(1)4-2016; Am. Ord. 17-017, passed 7(1)1-2017; Am. Ord. 17-019, passed 2-28-2018)



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PROPOSED AMENDMENTS  
APPENDIX C: TABLE OF ACCESSORY USES

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<b>LEGEND:</b>		<b>APPENDIX C: TABLE OF ACCESSORY USES</b>						
+ - Permitted* ? - Conditional** x - Prohibited () - Notes								
<b>ACCESSORY LAND USE</b>	<b>RES.</b>	<b>RELIG.</b>	<b>EDUC.</b>	<b>RECRE.</b>	<b>OFF.</b>	<b>COMM.</b>	<b>INDUST. <small>Li.</small></b>	
Children's playhouse and play equipment	(2)	+	+	+	+	+	x	
Completely enclosed building for storage of supplies, stock, or merchandise	x	+	+	+	+	+	+	
Gasoline or fuel oil storage tank, specific set-back requirements apply	(1)	(1)	(1)	+	(1)	+	+	
Laundromat in multi-family development for the exclusive use of tenants	+	x	x	x	x	+	x	
Manufacturing or repair facility in compliance with section § 151.108	x	x	x	x	x	+	+	
Non-commercial flower, ornamental shrub or vegetable garden, greenhouse, or slat house not over 8 feet high	(2)	+	+	+	+	+	+	
Non-commercial parking for owners, tenants, guests, members, customers, clients, and employees. (limited to one commercially licensed vehicle per family in residential uses)	+	+	+	+	+	+	+	
Natural or human-made disaster shelter	(2)	+	+	+	+	+	+	
Parsonage, pastorium, or parish house	+	+	+	x	x	x	x	
Religious education building/classrooms	+	+	+	+	+	+	+	
Private swimming pool, bath house, tennis court, and private recreational facility for tenants of principal buildings	(2)	+	+	+	+	+	+	
Private kennel for no more than 6 dogs and/or cats (4)	(2)	x	x	x	x	+	+	
Refuse containers (dumpsters) in multi-family, commercial, light industrial, or recreational appl.	(3)	(3)	(3)	(3)	(3)	(3)	(3)	
Shed or tool room for grounds maintenance tools and equipment; satellite dish antenna	(2)	(2)	(2)	(2)	(2)	(2)	(2)	
<b>Notes:</b>								
(1) Fuel oil storage for on-site heating systems.								
(2) Accessory buildings/uses are subject to § 151.108.								
(3) Site location, screening, and landscaping shall be approved by the Administrator (Ref. §§ 151.085 and 151.108)								
(4) Reference amended Ord. 94-005, September 13, 1994, Ch. 90, Animals and Fowl.								

(1985 Code, Annex C)



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PROPOSED AMENDMENTS  
APPENDIX D: ZONING DISTRICTS

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**APPENDIX D: ZONING DISTRICTS**

ZONING DISTRICTS	AREA	WIDTH	DEPTH	FRONT	MINIMUM YARD SIDE MINIMUM/TOTAL (5)	REAR (5)	HEIGHT FT/ STORIES	O/O COVERAGE	ACCESSORY BUILDINGS/ USES
R-1 Low Density Residential	10,000	70	100	30	10/25	25	35/2. 5	40% (1) (2)	§ 151.108 and Appendix "C"
R-2 Medium Density Residential	8,000	60	100	25	8/20	20	35/2. 5	40% (1) (2)	§ 151.108 and Appendix "C"
R-3 High Density Residential									§ 151.108 and Appendix "C"
Single-family	6,500	60	80	20	7/15	20	35/2. 5	40% (1) (2)	
Duplex	8,000	65	80	20	7/15	20	35/2. 5	40% (1) (2)	
Multi-family	§151.137	70	80	30 (3)	15/35 (3)	25 (3)	50/4. 0	40% (1) (2)	
BPO Business and Professional Office	5,000	50	70	20 (3)	7/15 (3)	20 (3)	35/2.5	40% (1) (2)	§ 151.108 and Appendix "C"
RC Restricted Commercial	5,000	50	70	20 (3)	7/15 (3)	20 (3)	40/3. 0	40% (1) (2)	§ 151.108 and Appendix "C"
NC Neighborhood Commercial	15,000 (4)	65	70	25 (3)	8/20 (3)	20 (3)	35/2. 5	40% (1)	§ 151.108 and Appendix "C"
GC General Commercial	10,000	70	100	20 (3)	10/20 (3)	20 (3)	50/4. 0	40% (1) (2)	§ 151.108 and Appendix "C"
<del>CI Commercial Industrial</del>	<del>10,000</del>	<del>70</del>	<del>100</del>	<del>40</del>	<del>10/30</del>	<del>30</del>	<del>40/4. 0</del>	<del>40%</del>	<del>§ 151.108 and Appendix "C"</del>
LI Light Industrial	2 Acres	200	200	50 (3)	20/40 (3)	30 (3)	50/4. 0	50%	§ 151.108 and Appendix "C"
HI Heavy Industrial	2 Acres	200	300	50	20/40 (5) 2nd Street 30 (5)	40 (8)	70/5 (7)	50%	§ 151.108 and Appendix "C"
GI General Industrial	5 acres	200	200	50	20/40 (5) 2nd Street 30 (5)	40 (5)	70/5	30%	§ 151.108 and Appendix "C"
CO Conservation Open Space	Variable	Variable	Variable	Site dependent			35/2.5		§ 151.108 and Appendix "C"
PD Planned District	3 Acres	Requirements for planned districts are site- and situation-dependent, and are specified by the Zoning Administrator and the Planning and Zoning Commission, as appropriate, and must be approved by City Council as an amendment to the zoning ordinance (see the appropriate procedures manual for more information).							
PD-MH Planned District- Mobile Home	5 Acres								
<b>Notes:</b>									
(1) Percentage of lot coverage by both principal and accessory uses/buildings.									
(2) If enclosed parking is provided, coverage may be 50%.									
(3) All minimum yard dimensions shall be increased by 2 feet for each story above the second.									
(4) Maximum area in NC zone is 1 acre, maximum unit floor area is 5,000 square feet.									
(5) Setback requirement subject to meeting land use buffer requirement, if applicable.									
(6) Not applicable to utility poles, public utility excavations, temporary and infrequent encroachments.									
(7) Height: Maximum: Community/Neighborhood at 30 feet; Office at 30 feet; Office/Service/ Townhomes at 35 feet.									



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

# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Mark Brodeur

*Please check one box*

Regular Meeting

Special Meeting

Work Session

Proclamation

*Please check one box, if applicable*

Ordinance

Resolution

### Ordinance/Resolution Title

Old Back River Rezone Petition

### Background Summary

Rezone an R-2 property to an R-3 property.

### Financial Impact

More units may mean higher tax revenue

### Impact if denied

Project will likely languish until owner decides to build

### Impact if approved

General improvement of the immediate area.

Department Head:

Mark Brodeur Mark Brodeur  
 11.0.23  
 Signature & Date

City Administrator:

*Natalia M. Zylch*  
 Signature & Date

**AN ORDINANCE**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA, TO PROVIDE FOR CHANGES IN THE ZONING DISTRICTS OF THE FOLLOWING PROPERTY:**

**THE PROPERTY LOCATED ALONG OLD BACK RIVER ROAD AND IDENTIFIED AS TMS #'s 244-00-00-033, 244-14-05-047 AND 244-14-05-048. FROM R-2 (MEDIUM DENSITY RESIDENTIAL) TO R-3 (HIGH DESNITY RESIDENTIAL).**

**WHEREAS**, the Planning Commission of the City of Goose Creek held a public hearing on December 1, 2020 to receive public comment and to consider a change in zoning classification from R-2 (Medium Density) to R-3 (High Density Residential) for the above-mentioned property,

**WHEREAS**, pursuant to said public hearing, the Planning Commission has recommended that the zoning classification of the property aforesaid be changed to the R-3 (High Density Residential) zoning district.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, that the Zoning Map of the City of Goose Creek, South Carolina, is hereby amended by changing the zoning district classification of the property located along Old Back River Road designated as TMS #244-00-00-033, 244-14-05-047 and 244-14-05-048 from R-2 (Medium Density Residential) to R-3 (High Density Residential).

All ordinances and provisions in conflict herewith are repealed, and if any sentence, clause, phrase, or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall become effective immediately upon adoption.

INTRODUCED the 12<sup>th</sup> day January 2021.

DONE the \_\_\_\_\_ day of February 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Melissa Enos



# CITY OF GOOSE CREEK LAND USE APPLICATION

TODAY'S DATE: June 22, 2020

## PART I. PURPOSE OF SUBMITTAL

- Site Plan (See Checklist)       Plat Review       Rezoning  
 Subdivision Plan (See Checklist)       Variance       Conditional Use Permit

## PART II. GENERAL INFORMATION

1. Development Name: Poplar Bluff
2. Street Address: 309 Old Back River Road
3. TMS #: 244 - 00 - 00 - 033 / 244-14-05-047, 048
4. Zoning Classification: R-2  
 Requested Classification: R-3 (For rezonings only)
5. Total Site Acres: 13.37

**GOOSE CREEK ZONING DISTRICTS**

CO: Conservation Open Space	GC: General Commercial
LI: Light Industrial	NC: Neighborhood Commercial
R-1: Residential Low Density	RC: Restricted Commercial
R-2: Residential Medium Density	PD: Planned Development
R-3: Residential High Density	PD-MH: PD for Mobile Home

## PART III. CONTACT INFORMATION

Owner/Developer Name: Hebe Land, LLC

Street Address: 186 Seven Farms Drive, Suite F211 City: Daniel Island St: SC Zip: 29492

Telephone: \_\_\_\_\_ Cell Phone: 843-670-3013 Fax: \_\_\_\_\_

E-mail Address: scott@southeast.land

## PART IV. SUBMITTAL INFORMATION (IF APPLICABLE)

Proposed Building Use: Single Family Residential

Proposed Total Building Area (gross sq. ft.): \_\_\_\_\_

Max. Building Height: \_\_\_\_\_ Total Number of Buildings/Units/Lots: \_\_\_\_\_

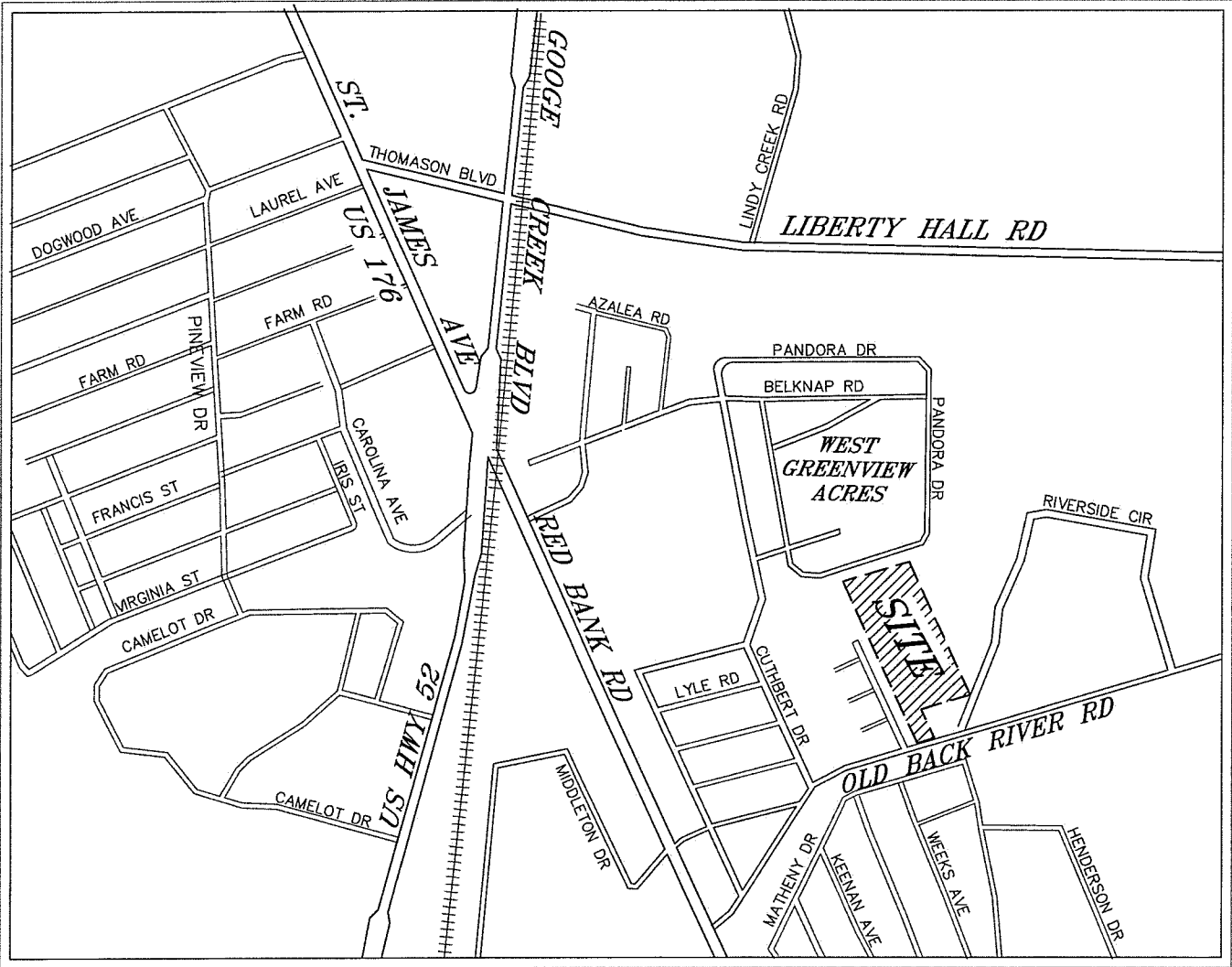
Is The Property Restricted by Any Recorded Covenant Which Conflicts With or Prohibits The Proposed Use: no

## AGENT WAIVER

*In filing this plan as the property owner, I do hereby agree and firmly bind myself, my heirs, executors, administrators, successors and assignees jointly and severally to construct all improvements and make all dedications as shown on this proposed site plan as approved by the City of Goose Creek, South Carolina. I hereby designate David Stevens to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.*

Print Name: Scott Hebebrand Date: 6/22/20

Signature: [Handwritten Signature]



VICINITY MAP  
(NTS)

**LEGEND:**

EXISTING R/W	---	WETLAND	
EXISTING EASEMENTS	---	PL TO BE ABANDONED	---
EXISTING WATER LINE	EW	TREES	
EXISTING GRAVITY SEWER	ESS		
EXISTING FORCE MAIN	EFM	EX. CONTOURS	---
EXISTING STORM DRAIN	ESD	PROPOSED R/W	---
EXISTING OVERHEAD POWER	OHP	PROPOSED LOT LINE	---
EXISTING NATURAL GAS	GAS	PROPOSED LOT SETBACKS	---
EXISTING TELEPHONE	T	DUPLEX UNIT LINE	---

**ZONING:**

-EXISTING: R2 BERKELEY COUNTY	
-EXISTING: R2 CITY OF GOOSE CREEK	
-PROPOSED: R3 CITY OF GOOSE CREEK (SINGLE FAMILY PATIO HOMES)	

**NOTES:**

- PROPERTY: TMS# 244-00-00-033 (13.03 AC)  
244-14-05-047 (0.17 AC)  
244-14-05-048 (0.17 AC)
- PROJECT DETAILS: CITY OF GOOSE CREEK  
ZONING: -EXISTING: R2  
-PROPOSED: R3 - SINGLE FAMILY PATIO HOMES
- DEVELOPMENT REQUIREMENTS:  
MINIMUM LOT: 52-7/320  
LOT AREA: 4,500  
LOT WIDTH: 40'  
LOT DEPTH: 90'  
SETBACK REQUIREMENTS:  
FRONT: 20'  
SIDE YARD: 5'  
REAR YARD: 10'  
TOTAL: 35'  
MAX. BUILDING HEIGHT: 30'/2.5  
MAX. COVERAGE: 35%

**A. SITE AREA:** 11.13 AC  
WETLAND: 2.24 AC  
TOTAL: 13.37 AC

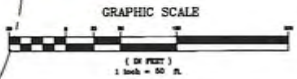
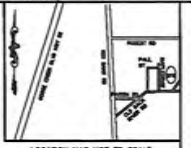
**B. PROPOSED SITE PLAN:** 63 LOTS  
TYPICAL LOT: 18  
UNIT 1417 (ADJACENT LOTS): 18  
UNIT 1880 (ADJACENT LOTS): 37  
UNIT 2417 (ADJACENT LOTS): 8

**OPEN SPACE:** REQUIRED CALCULATION  
(TOTAL OPEN SPACE) X (TOTAL UNIT SQ. FT.) X 0.275/43,000 =  
63 X 1,800 X 0.275/43,000 = 1.28 AC

**PROVIDED:** 2.81 AC

**PUBLIC ROADWAY:** 50' R/W  
ROAD-OF-WAY: 2,000  
LENGTH: 28'  
FRAGMENT: 28' BDC TO BDC  
SIDEWALK: 5' (ONE SIDE)

- LOT BUILDING STRUCTURE TYPE**
- SINGLE FAMILY
  - MOBILE HOME/TRAILER
  - SHED (NON-RESIDENTIAL STRUCTURE)
  - VACANT LAND



REVISIONS:

PROJECT:	BACK RIVER RD
TITLE:	ZONING MAP
FOR:	HEBE LAND, LLC

DRAWN BY: JLC  
FILE: 1305.DWG  
SCALE: 1" = 50'  
DATE: 03-08-2019

**CITY OF GOOSE CREEK**  
OFFICE OF PLANNING AND DEVELOPMENT  
PLANNING COMMISSION  
OFFICIAL SEAL

**CIVIL ENGINEER**  
No. 9156  
STATE OF SOUTH CAROLINA

**CSE**  
CIVIL & SURVEYING ENVIRONMENTAL

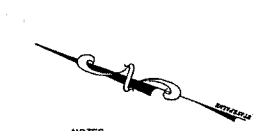
400 MARINA DRIVE  
SUITE 8-1  
CHARLOTTE, S.C. 28249  
PHONE: (704) 648-0840  
FAX: (704) 648-9074  
EMAIL: CSE@CSEENVIRONMENTAL.COM

CSE JOB NUMBER  
**1295**  
SHEET NUMBER  
**Zoning**

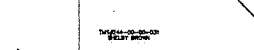
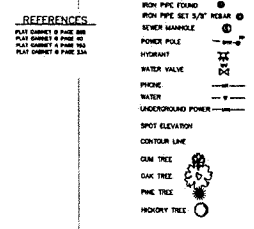
1. THE CITY OF GOOSE CREEK HAS REVIEWED THIS ZONING MAP AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY ZONING ORDINANCES AND THE CITY ZONING MAP.



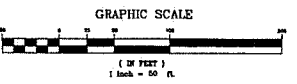
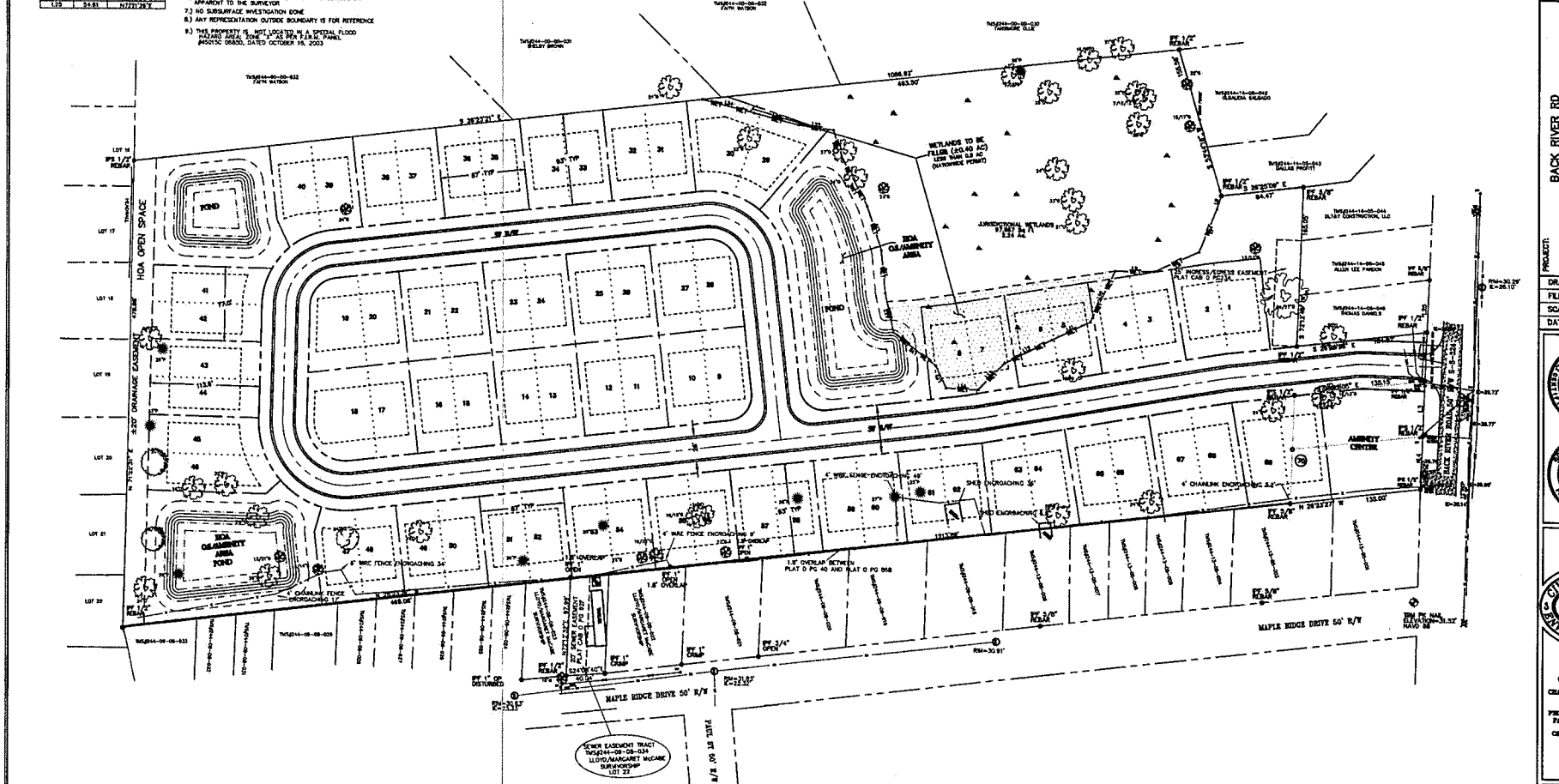
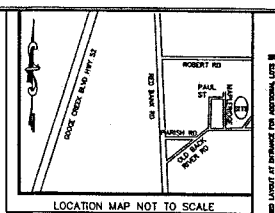
LINE	LENGTH	BEARING
L1	50.00	S27°00'00"W
L2	84.84	S12°00'00"W
L3	55.55	S27°00'00"W
L4	84.84	S12°00'00"W
L5	50.00	S27°00'00"W
L6	84.84	S12°00'00"W
L7	50.00	S27°00'00"W
L8	84.84	S12°00'00"W
L9	50.00	S27°00'00"W
L10	84.84	S12°00'00"W
L11	50.00	S27°00'00"W
L12	84.84	S12°00'00"W
L13	50.00	S27°00'00"W
L14	84.84	S12°00'00"W
L15	50.00	S27°00'00"W
L16	84.84	S12°00'00"W
L17	50.00	S27°00'00"W
L18	84.84	S12°00'00"W
L19	50.00	S27°00'00"W
L20	84.84	S12°00'00"W
L21	50.00	S27°00'00"W
L22	84.84	S12°00'00"W
L23	50.00	S27°00'00"W
L24	84.84	S12°00'00"W
L25	50.00	S27°00'00"W



- NOTES**
- 1.) PROPERTY CORNERS SET ARE ALL 5/8" REBAR UNLESS NOTED OTHERWISE
  - 2.) ANGLES CALCULATED BY THE COORDINATE METHOD.
  - 3.) BEARINGS SHOWN HEREON ARE STATE PLANE.
  - 4.) THIS PLAN IS INTENDED ONLY TO SHOW THE TOPOGRAPHY OF PARCELS SHOWN AND IS BASED ON POINTS AND LINES OF INFORMATION LISTED REFERENCED TO AND LISTED OF INFORMATION. NO FIELD RESEARCH WAS DONE.
  - 5.) SURVEYS ARE SUBJECT TO CHANGE AND MUST BE APPROVED BY CITY OFFICIALS.
  - 6.) THE SURVEY SHOWS EASEMENTS WHICH ARE OBVIOUS OR APPARENT TO THE SURVEYOR.
  - 7.) NO SURFACE INVESTIGATION DONE.
  - 8.) ANY REPRESENTATION OUTSIDE BOUNDARY IS FOR REFERENCE.
  - 9.) THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONING DISTRICT AS OF OCTOBER 16, 2003.



- NOTES**
1. PROPERTY: TRS 244-00-00-023 (3.03 AC)  
244-14-00-047 (0.17 AC)  
244-14-00-048 (0.17 AC)
  2. PROJECT DETAILS: CITY OF GOOSE CREEK ZONING: EXISTING: R2 PROPOSED: R3
  3. DEVELOPMENT REQUIREMENTS: MINIMUM LOT: 50' 0" DUPLEX BLOOD: 80' 0" MINIMUM AREA: 8,000 SQ FT MINIMUM LOT WIDTH: 30' MINIMUM LOT DEPTH: 30'
  4. SITE AREA: 11.10 AC IMPROVED: 13.37 AC
  5. PROPOSED SITE PLAN: 26 DUPLEX UNITS 87 x 83 (TYP) TYPICAL LOT: PUBLIC ROADWAY: RIGHT-OF-WAY: 50' R/W 30' ADD TO BOD 8' (ONE SIDE) SIDEWALK:
  6. SERVICE REQUIREMENTS: MINIMUM YARD REQUIREMENTS: REAR YARD: 30' SIDE YARD: 30' TOTAL: 7' (ONE SIDE) 11' (ONE SIDE) REAR YARD: 30' MAX. BUILDING HEIGHT: 30' / 2.5 MAX. COVERAGE: 40% / 2.5



PROJECT: BACK RIVER RD  
 TITLE: SKETCH PLAN R-3 DUPLEX  
 DRAWN BY: TLG  
 SCALE: 1" = 30'  
 DATE: 03-08-2019

REGISTERED PROFESSIONAL ENGINEER  
 STATE OF ARIZONA  
 No. 9156  
 CIVIL ENGINEER

CSE ENVIRONMENTAL

600 MARINA DRIVE  
 CANTONMENT, AZ 85408  
 PHONE: (602) 848-8646  
 FAX: (602) 848-8974  
 EMAIL: CSE@CSEENVIRONMENTAL.COM

CSE JOB NUMBER: 1295  
 SHEET NUMBER: 01

11/19/2019 10:47:00 AM: Back River Rd Duplex R-3 Duplex.dwg, User: TLG, Date: 03/08/2019 10:47:00 AM

***NEW BUSINESS & PUBLIC HEARINGS***



THE CITY OF  
**GOOSE CREEK**  
BERKELEY CO. EST. 1981 SO. CAROLINA

# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:**

*Please check one box*

Regular Meeting

Special Meeting

Work Session

Proclamation

*Please check one box, if applicable*

Ordinance

Resolution

### Ordinance/Resolution Title

Annexation for TMS 234-11-04-010

### Background Summary


Residential lot in Crowfield with single residence.

### Financial Impact

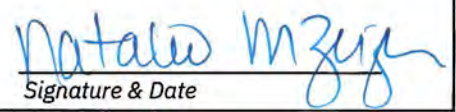
### Impact if denied

### Impact if approved

Department Head:

 2/3/21  
 Signature & Date

City Administrator:

 2/3/21  
 Signature & Date

AN ORDINANCE

**AN ORDINANCE PURSUANT TO TITLE 5, CHAPTER 3, SECTION 5-3-150, SUBSECTION 3, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, TO ANNEX AN AREA IDENTIFIED AS TMS 234-11-04-010 (102 ASHFIELD PLACE) INTO THE CITY OF GOOSE CREEK, A SOUTH CAROLINA MUNICIPAL CORPORATION**

**WHEREAS**, Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, provides for the annexation of any area or property which is contiguous to a city or town by filing a petition with the municipal governing body which is signed by one-hundred percent (100%) or more of the owners owning at least one-hundred percent (100%) of the assessed valuation of the real property in the area requesting annexation; and

**WHEREAS**, one-hundred percent (100%) of the freeholders owning one-hundred percent (100%) of the assessed valuation of the real property in the area hereafter delineated and described, have filed a petition with the City Council of Goose Creek, South Carolina, requesting that such property be annexed into the City of Goose Creek, South Carolina. Such property is contiguous to the current City limits of the City of Goose Creek, and is described as follows:

**TMS #234-11-04-010 (102 Ashfield Place, Goose Creek – Stratford Forest - Crowfield)**

To include any road, waterway, easement, railroad track, marshland or utility line that intervenes between these properties and the municipal limits of the City of Goose Creek.

The owner of said property has requested that the property be annexed into the City of Goose Creek. All applicable City services will be provided immediately upon annexation.

**WHEREAS**, the property is a closed parcel of land in Berkeley County, South Carolina, consisting of one residential lot, for the purpose of annexation into the City of Goose Creek. The area is more fully shown on a plat entitled “Annexation Request Property Identified as TMS #234-11-04-010” as prepared by the City Planner.

**NOW, THEREFORE, BE IT ORDAINED** and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that all real properties as hereinafter delineated and described are hereby annexed into the City of Goose Creek, South Carolina, a South Carolina municipal corporation, pursuant to Title 5, Chapter 3, Section 5-3-150(3) of the Code of Laws of South Carolina, 1976, as amended, and a zoning district classification of PD (residential) will apply.

This ordinance shall be effective on the date of final reading.

INTRODUCED the \_\_\_\_\_ day of February 2021.

DONE the \_\_\_\_\_ day of March 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

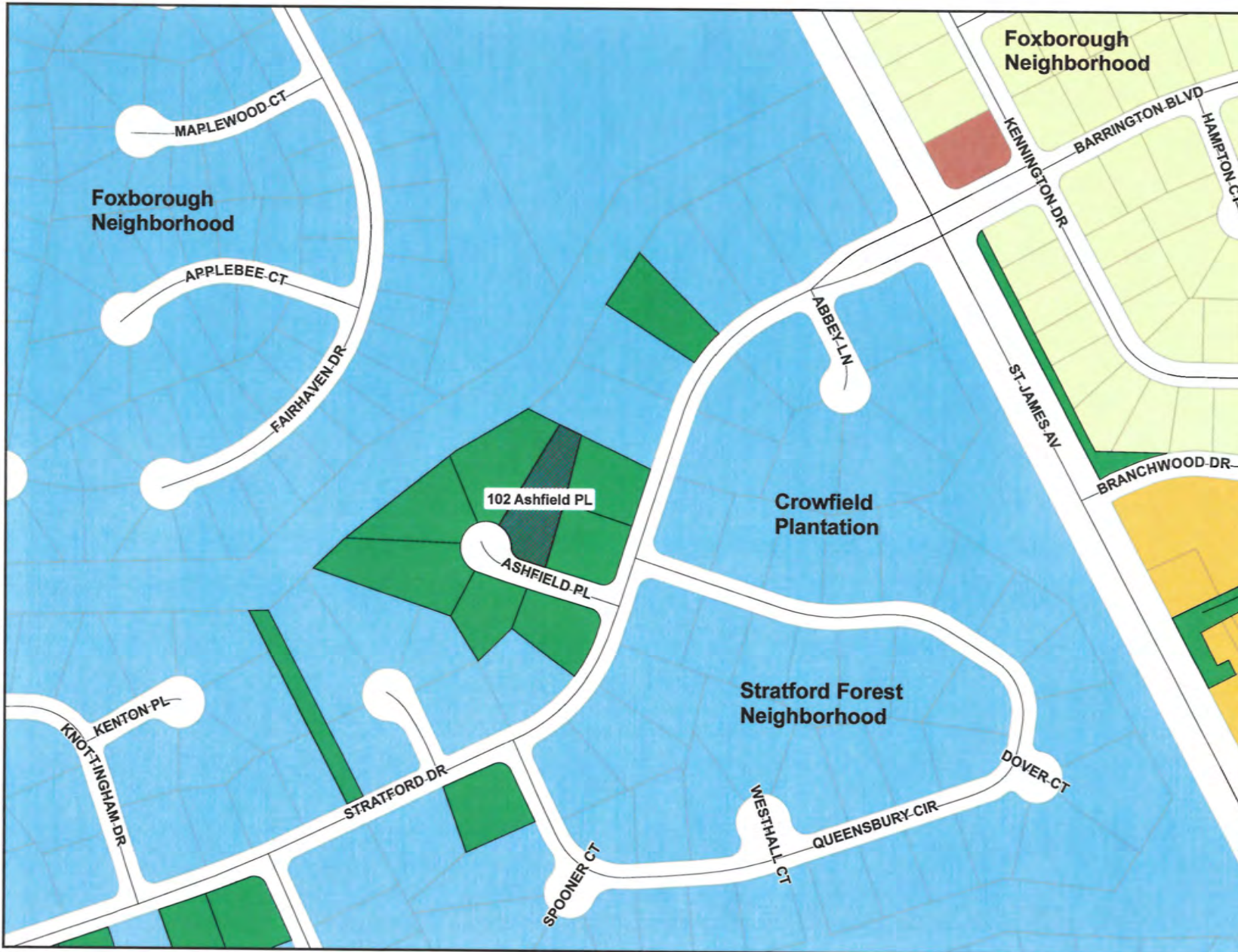
\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Melissa Enos



CITY OF  
GOOSE CREEK



**PROPOSED  
ANNEXATION  
MAP**

**102 ASHFIELD PL  
GOOSE CREEK, SC**

**TMS# 234-11-04-010**

**Legend**

- SUBJECT PROPERTY
- Streets
- Berkeley County Parcels
- Zoning Classification**
- CO - CONSERVATION OPEN
- R1 - RESIDENTIAL - LOW DENSITY
- R2 - RESIDENTIAL - MEDIUM DENSITY
- R3 - RESIDENTIAL - HIGH DENSITY
- GC - GENERAL COMMERCIAL
- RC - RESTRICTED COMMERCIAL
- NC - NEIGHBORHOOD COMMERCIAL
- BPO - BUSINESS PROFESSIONAL OFFICE
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- PD - PLANNED DISTRICT
- PD - PLANNED DISTRICT - MOBILE HOME

Prepared by the City of Goose Creek  
Planning and Zoning Department  
Information Provided by Berkeley County GIS  
April 2014  
Published February 7, 2011  
www.cityofgoosecreek.com



# CITY OF GOOSE CREEK ANNEXATION APPLICATION



Date:

REQUESTED ANNEXATION METHOD (CIRCLE ONE):    100%    75%    25%

TMS#: 234-1104-010

ADDRESS: 102 Ashfield Place Goose Creek 29445

PROPERTY OWNER(S): Willard J. Beattie

CURRENT COUNTY ZONING DISTRICT: Berk    REQUESTED CITY ZONING DISTRICT: G.C.

TOTAL ACREAGE TO BE ANNEXED:

IS THIS PROPERTY VACANT? (CIRCLE ONE)    YES    NO

PD  
(residential)  
we

IF NOT VACANT, PLEASE DESCRIBE ANY EXISTING BUILDINGS ON THE PROPERTY:

**ANNEXATION REQUIREMENTS**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. A letter of intent.</li> <li>2. A summary of future plans for the property.</li> <li>3. A copy of the property's deed.</li> </ol> | <ol style="list-style-type: none"> <li>4. Signature authority documentation, if the applicant is not the property owner.</li> <li>5. An original copy of the Annexation Application.</li> </ol> |
|---|---|

**Contact Information\***

Name (Printed): Willard J. Beattie    Telephone: 843-200-5085

Address: 102 Ashfield Pl. Goose Creek, 29445

Signature of Owner/Applicant\* Willard J. Beattie

\*Proper documentation of the identity of an applicant who is not the owner of the property must be provided. If the property is owned by a company, please provide documentation of the applicant's position within the company represented. If the annexation is being proposed on behalf of a property owner, complete documentation of both the applicant's identity, and a certified, filed copy of a Power of Attorney granting permission to apply, must be provided. Proper documentation is subject to the approval of the City Clerk.

Please return this form and supporting documents to:  
Frank Johnson, Annexation Coordinator  
City of Goose Creek  
PO Drawer 1768  
Goose Creek, SC 29445

**For more information please call (843) 797-6220 Ext. 1117**

\* It is my (Willard J. Beattie) intent on this day, January 13, 2021 to apply for annexation of my Residence at 102 Ashfield place into the City of Goose Creek. It is currently in Berkeley County only.

\* The future plans for this property will stay a single family residence/dwelling. This is also our primary and only residence.

Willard J. Beattie

1/13/2021



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

# Request for City Council Agenda Item

**To:** City Administrator, Mayor and City Council

**From:** Brian Cook, Asst. City Administrator

*Please check one box*

Regular Meeting

Special Meeting

Work Session

Proclamation

*Please check one box, if applicable*

Ordinance

Resolution

### Ordinance/Resolution Title

Authorizing a ten (10) year term extension for the existing Mackey Tract Development Agreement

### Background Summary

City Council approved the original agreement for a term of five (5) years (Ordinance #15-001) dated March 15, 2016. Mungo Homes intends to continue the development on +/- 102 acres referenced as Tract M (West Tract) which was acquired from Carnes Crossroads (Hewing Farms).

### Financial Impact

Approximately 246 additional homes.

### Impact if denied

Developer would evaluate risk options.

### Impact if approved

Developer would proceed with a degree of assurance that the development agreement provides.

Department Head:

City Administrator:

\_\_\_\_\_  
*Signature & Date*

\_\_\_\_\_  
*Signature & Date*



**A RESOLUTION**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN EXTENSION OF THE TERMS OF AGREEMENT FOR THE EXISTING MACKEY TRACT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GOOSE CREEK AND THE ESTATE OF EARL E. MACKEY**

**WHEREAS**, there is a current City of Goose Creek approved Development Agreement that shall expire on the 15<sup>th</sup> of March 2021, recorded with the Office of Register of Deeds for Berkeley County on the 17<sup>th</sup> day of March 2016, Book/Page: RB 2131:297-444; and,

**WHEREAS**, both parties mutually agree to extend the termination date, as is permitted in said Agreement, to continue the residential development currently in progress, in compliance with City Ordinances #02-004 and #15-001, and S.C. Code §6-31-100.

**BE IT RESOLVED** by the Mayor and City Council on the 9<sup>th</sup> day of February 2021, that the City Administrator is authorized to execute an extension for a period of 5 years, with the option for an additional 5-year extension, with no additional action, upon annual review and good faith compliance with the terms of the original agreement and annual review. A copy of said Agreement being attached hereto and made a part hereof as Exhibit "A".

Within fourteen (14) days after execution of this Agreement extension, the Property Owner shall record the Agreement with the Office of the Register of Deeds for Berkeley County and return a recorded copy to the City of Goose Creek.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 9<sup>th</sup> day of February 2021.

DONE the \_\_\_\_ day of March 2021.

\_\_\_\_\_  
Mayor Gregory S. Habib

Attest: \_\_\_\_\_  
Kelly J. Lovette, MMC, City Clerk

\_\_\_\_\_  
Mayor Pro Tem Jerry Tekac

\_\_\_\_\_  
Councilmember Debra Green-Fletcher

\_\_\_\_\_  
Councilmember Corey McClary

\_\_\_\_\_  
Councilmember Hannah J. Cox

\_\_\_\_\_  
Councilmember Gayla S.L. McSwain

\_\_\_\_\_  
Councilmember Melissa Enos



**Brian Cook**  
Assistant City Administrator

City Hall  
519 N. Goose Creek Blvd.  
P.O. Drawer 1768  
Goose Creek, SC 29445-1768  
(843) 797-6220 Ext. 1112  
bcook@cityofgoosecreeksc.gov

## Memorandum

**TO:** Members of City Council  
**FROM:** Brian Cook, Assistant City Administrator  
**DATE:** February 9, 2021  
**SUBJECT:** Mackey Tract Development Agreement  
Extension Request (Mungo Homes)

Mungo Homes has requested a ten (10) year extension on an existing development agreement (Mackey Tract) that will expire on or about March 15, 2021.

City Council approved the original agreement for a term of five (5) years (Ordinance # 15-001) dated March 15, 2016.

A development agreement may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest. §6-31-100

Tract M (West Tract) (+/- 102 acres) was acquired from Carnes Crossroads and has previously been added to the Mackey Tract since the original agreement and is incorporated herein (Hewing Farms).

Mungo Homes has stated that they would be amenable to a five (5) year extension, with a renewal option for an additional five (5) years, with no additional action needed, upon annual review and good faith compliance with the terms of the agreement.

**REQUEST FOR EXTENSION OF  
DEVELOPMENT AGREEMENT**

December 21, 2020

Sent via certified Mail

To Mayor Gregory Habib  
519 N. Goose Creek Blvd  
Goose Creek, SC 29445

Mark Brodeur  
Planning and Zoning Director  
519 N. Goose Creek Blvd  
Goose Creek, SC 29445

Natalie Zeigler  
City Administrator  
PO Drawer 1768  
519 N. Goose Creek Blvd  
Goose Creek, SC 29445

From: David A. Ross  
McAngus, Goudelock and Courie, LLC  
1320 Main Street 10<sup>th</sup> Floor  
Columbia, SC 29201

Mr. John Putney  
4465 Tile Drive  
N. Charleston, SC 29405  
Email: jputney@mungo.com

Mr. Lee McLoud  
4465 Tile Drive  
N. Charleston, SC 29405  
Email: lmcloud@mungo.com

Re: Development Agreement by and between The City of Goose Creek and The Estate of Earl E. Mackey recorded in the Berkeley County Register of Deeds in Book 2131, page 297 (the "Development Agreement")

---

Your Honor

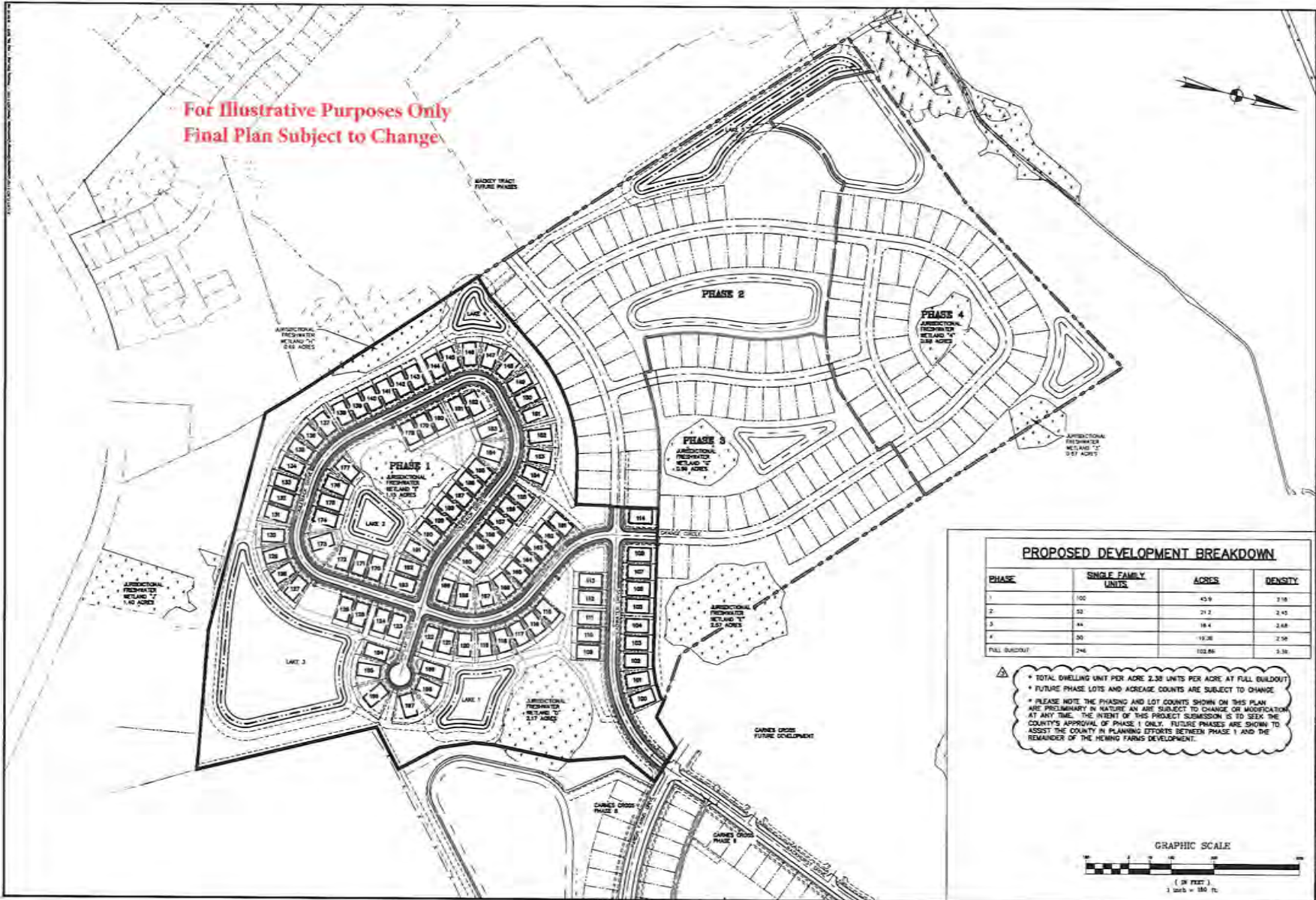
Thank you very much for your staff's assistance in working through amending the Development Agreement governing the Mackey Tract/ Hewing Farms Subdivision. We have been working with Natalie Zeigler and Mark Brodeur at staff level on this, and my client, Mungo Homes Coastal Division Properties, LLC ("Mungo Homes"), is very excited about developing this property into a first-class neighborhood. The Development Agreement was made effective on March 15, 2016 and is set to expire on March 15, 2021. In order to fully develop the contemplated subdivision, Mungo Homes will need the term of the Development Agreement to be extended. Please let this letter serve as the official request of Mungo Homes to amend the Development Agreement, by extending the term for an additional ten years, which would push the expiration date to March 15, 2031. We look forward to working with you to fulfill this request.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "D. Ross", with a long horizontal flourish extending to the left.

McAngus Goudelock & Courie, LLC  
David A. Ross

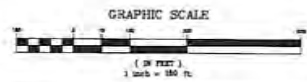
**For Illustrative Purposes Only  
Final Plan Subject to Change**



**PROPOSED DEVELOPMENT BREAKDOWN**

PHASE	SINGLE FAMILY UNITS	ACRES	DENSITY
1	100	43.9	2.18
2	50	21.2	2.45
3	44	18.4	2.68
4	50	19.28	2.58
<b>FULL SUBDIVISION</b>	<b>244</b>	<b>102.86</b>	<b>2.36</b>

\* TOTAL DWELLING UNIT PER ACRE 2.36 UNITS PER ACRE AT FULL BUILDOUT  
 \* FUTURE PHASE LOTS AND ACREAGE COUNTS ARE SUBJECT TO CHANGE  
 \* PLEASE NOTE THE PHASING AND LOT COUNTS SHOWN ON THIS PLAN ARE PRELIMINARY IN NATURE AND ARE SUBJECT TO CHANGE OR MODIFICATION AT ANY TIME. THE INTENT OF THIS PROJECT SUBMISSION IS TO SEEK THE COUNTY'S APPROVAL OF PHASE 1 ONLY. FUTURE PHASES ARE SHOWN TO ASSIST THE COUNTY IN PLANNING EFFORTS BETWEEN PHASE 1 AND THE REMAINDER OF THE HEWING FARMS DEVELOPMENT.



NO.	BY	DATE
1	J. THOMAS HUTTON	NOV. 12, 2020
2	ANDREW L. HUNTER	
3	ANDREW L. HUNTER	
4	ANDREW L. HUNTER	

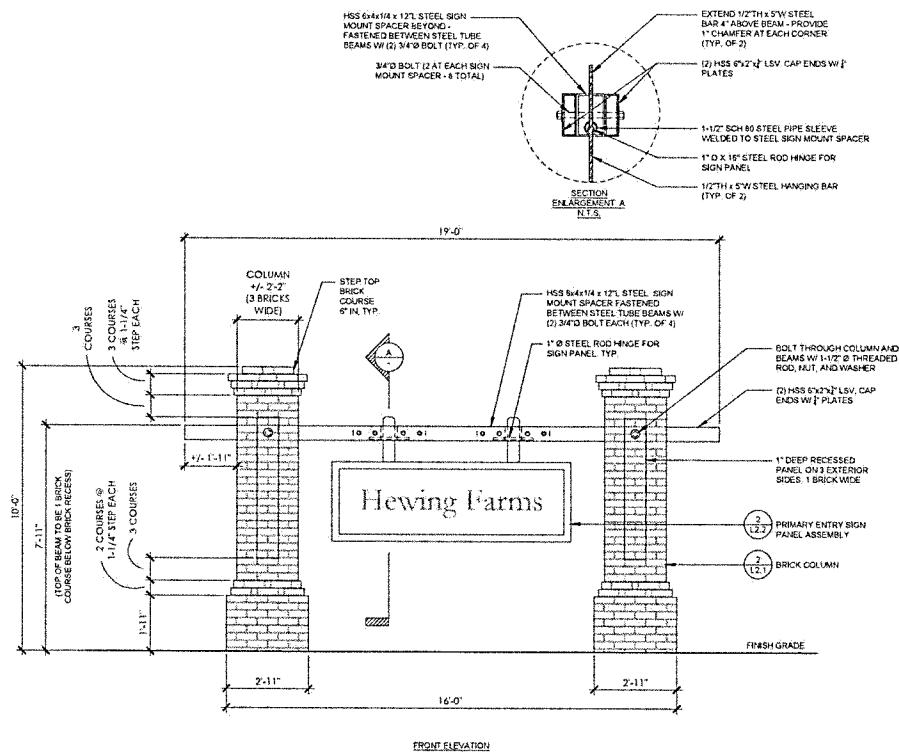
**THOMAS HUTTON**  
 402 S. Highway 100, Suite 120  
 Mt. Pleasant, SC 29564 • 843.447.0200  
 www.thomashutton.com

**MUNGO HOMES COASTAL DIVISION**  
**PROPERTIES, LLC**  
 CITY OF WOODBRIDGE, SOUTH CAROLINA  
**HEWING FARMS - PHASE 1**  
**PHASING PLAN**

DATE	SCALE
NOV. 12, 2020	1" = 100'
NOV. 12, 2020	1" = 180'

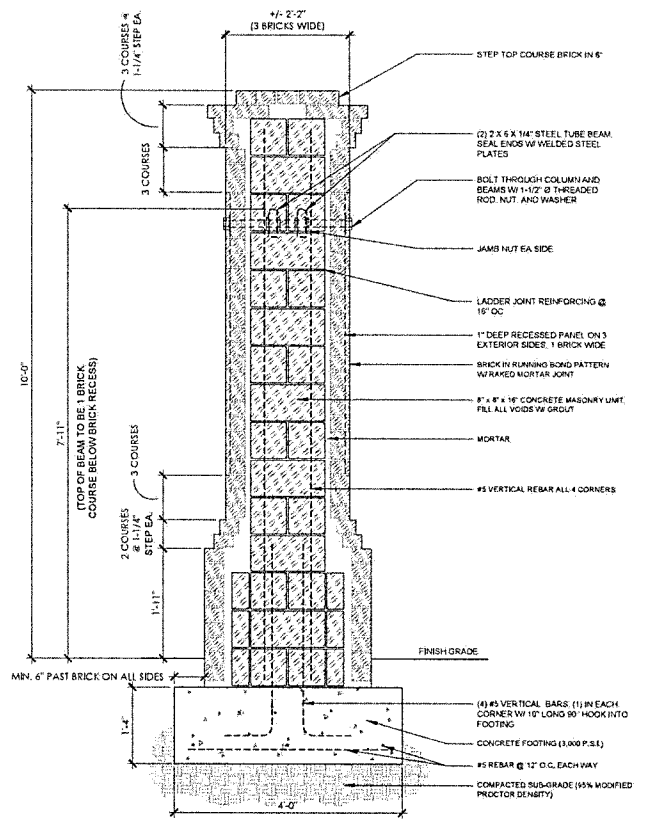
**C1.1**





1 PRIMARY ENTRY MONUMENT SIGN  
SCALE: 1/2" = 1'-0"

- GENERAL METAL NOTES:**
- METAL TO BE HOT ROLLED MILD STEEL
  - UNLESS OTHERWISE NOTED, ALL JOINTS TO BE WELDED CONSTRUCTION.
  - ALL WELDS TO BE GRIND SMOOTH.
  - CONTRACTOR TO BE RESPONSIBLE FOR ALL FIELD MEASUREMENTS REQUIRED TO MEET FIELD CONDITIONS.
  - ALL EXPOSED STEEL TO BE HOT DIP GALVANIZED, PRIMED, AND COATED WITH TWO COATS OF SATIN DARK GREY METALLIC ENAMEL PAINT. FINAL COLOR TBD DEPENDS ON LETTERING COLOR.
  - ALL PARTS, EXCEPT THREADED PIECES TO BE PAINTED PRIOR TO ASSEMBLY.
  - SURFACE PREPARATION OF GALVANIZED STEEL FOR PAINTING SHALL BE PERFORMED ACCORDING TO ASTM D636, INCLUDING CLEANING AND REMOVING CHLORIDE CONTAMINATION AND WET STORAGE STAINS.
  - HSS MEMBERS TO CONFORM TO ASTM A500. FLATBAR MEMBERS TO CONFORM TO ASTM A36, WELDING PER AWS D1.1



2 BRICK COLUMN  
SCALE: 1" = 1'-0"

- BRICK NOTES:**
- MANUFACTURER: OLD CAROLINA BRICK COMPANY  
475 MAJESICA RD.  
SALISBURY, NC 28147  
1-800-636-8850
- 5050 RANDOM MIX OF 2 BRICKS.
- 50% COLOR: SAVANNAH GRAY  
STYLE: OVERSIZE 000
- 50% COLOR: GEORGETOWN  
STYLE: OVERSIZE 000
- BRICK PAVERS LAID FLAT WITH MAX. VERTICAL TOLERANCE OF 1/8".
  - ALL JOINT LINES TO BE PARALLEL OR PERPENDICULAR TO EACH OTHER. ALL BRICKS TO BE SET SQUARE TO THE LAYOUT LINES WITHOUT WIGGLE.
  - SWEEP JOINTS TO BE FILLED WITH 4:1 SAND/MORTAR MIX. MORTAR TO BE TYPE 2000, IVORY BUFF COLOR. MIX INTO SLURRY, SWEEP INTO JOINTS AND HOSE DOWN RIGHT AWAY TO AVOID MORTAR SETTING ON TOP OF BRICK. REPEAT A MINIMUM OF TWICE UNTIL ALL VOIDS ARE FILLED.
  - ALL EXPOSED MORTAR JOINTS TO BE BASED, SPACED EVENLY WITH A MAX. WIDTH 1/2". IVORY BUFF COLOR.
  - WIDTHS INDICATED ON LAYOUT PLAN SHALL BE CONSIDERED +/- TO WORK TO THE NEAREST WHOLE OR HALF BRICK. VERIFY ADJUSTING LAYOUT DIMENSIONS TO WHOLE/HALF BRICK WILL NOT CONFLICT WITH OTHER AREAS OF LAYOUT. AVOID LEAVING THIN SLIVERS. IF CONFLICT ARISES, CONTACT LANDSCAPE ARCHITECT BEFORE PROCEEDING.
  - DIMENSIONS GIVEN ARE FROM EDGE-TO-EDGE OF FLAT WORK (OR FACE-TO-FACE OF BRICK SALES ORS WHERE PRESENT).
  - WHERE GROUT IS SPECIFIED IN CML & BRICK, GROUT SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AND SHALL BE NON-SHRINK AND NON-METALLIC.

PRELIMINARY

NO.	DATE	BY	REVISIONS

**THOMAS HUTTON**  
682 Johnnie Dodds Blvd. • Suite 100  
Arl. Heights, VA 22464 • 843.684.0200  
www.thomashutton.com

MUNGO HOMES  
CITY OF COASSE CREEK, SOUTH CAROLINA  
HEWING FARMS ENTRY & OPEN SPACE  
SITE DETAILS

DATE	#	DESCRIPTION

L2.1





CYNTHIA B FORTE  
BERKELEY COUNTY  
REGISTER OF DEEDS

Po Box 6122 ~ Moncks Corner, SC 29461 (843) 719-4084

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\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*

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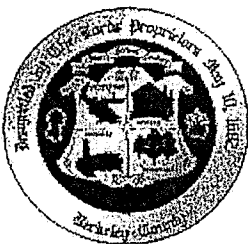
Instrument #:	2016007667	Return To:	CARLYLE BLAKENEY
Receipt Number:	15809		519 N GOOSE CREEK BLVD
Recorded As:	AGREEMENT		GOOSE CREEK, SC, 29445
Recorded On:	March 17, 2016	Received From:	CARLYLE BLAKENEY
Recorded At:	02:36:54 PM	Parties:	
Recorded By:	JENN LARA	Direct-	MACKEY, EARL E
Book/Page:	RB 2131: 297 - 444	Indirect-	GOOSE CREEK CITY OF
Total Pages:	148		

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\*\*\* EXAMINED AND CHARGED AS FOLLOWS \*\*\*

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Recording Fee: \$153.00  
Tax Charge: \$0.00



*Cynthia B. Forte*  
Cynthia B Forte - Register of Deeds

**MACKEY TRACT**

**DEVELOPMENT AGREEMENT**

**BETWEEN**

**THE CITY OF GOOSE CREEK**

**AND**

**THE ESTATE OF EARL E. MACKEY**



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**MACKEY TRACT  
DEVELOPMENT AGREEMENT  
BY AND BETWEEN  
THE CITY OF GOOSE CREEK AND ESTATE OF EARL E. MACKEY**

THIS DEVELOPMENT AGREEMENT DATED March 15<sup>th</sup>, 2016 is entered into this the 15<sup>th</sup> day of March, 2016 by and between the City of Goose Creek, a municipal corporation organized and existing under the laws of the State of South Carolina and the Estate of Earl E. Mackey.

**RECITALS**

This Agreement is predicated upon the following:

1. The Code of Laws of South Carolina §6-31-10 through §6-31-160, inclusive, enable municipalities to enter into binding development agreements with persons or entities intending to undertake any development on real property containing certain minimum acreages of highland and having a legal or equitable interest in the real property to be developed. The City has adopted an ordinance pursuant to this legislation authorizing the City to enter development agreements;
2. Under Code S.C. §6-31-30, and pursuant to City Ordinances, the City Council of the City has adopted City Ordinance #02-004, establishing procedures and requirements for considering and entering development agreements;
3. Under S.C. Code §6-31-100 and City Ordinance #02-004, development agreements may be amended by mutual consent of the parties to the agreement;
4. Under S.C. Code §6-31-50, §6-31-60 and City Ordinance #15-001, the City conducted public hearings regarding its consideration of the Agreement on January 12, 2016 and on February 9, 2016 after publishing and announcing notice of its intent to consider this Agreement, all in satisfaction of provisions of S.C. Code §6-31-50 and City Ordinance #02-004; and
5. Under S.C. Code §6-31-60, §6-31-60(A)(7), §6-31-70 and City Ordinance #15-001, the City Council of the City of Goose Creek found that this Agreement is consistent with the City Comprehensive Plan and Land Development Regulations.

**NOW THEREFORE, the Parties agree:**

1. **Definitions**

In this Agreement, unless the word or phrase is non-capitalized:

- (a) "Agreement" means this Development Agreement, including the recitals and exhibits and appendices attached hereto.

- (b) Architectural Review Board (ARB) means the duly appointed Architectural Review Board of the City of Goose Creek.
- (c) "Association" means the property owners association to be formed prior to recordation of a Subdivision Plat by Property Owner.
- (d) "Building Development Standards" means minimum standards for the area, width, depth, accessory structures or uses, building Setback, and yard requirements, and the maximum standards for Height and building coverage, for Lots or Development Parcels.
- (e) "City" is the City of Goose Creek, South Carolina, a municipal corporation organized and existing under the laws of the State of South Carolina.
- (f) "County" is the County of Berkeley, South Carolina.
- (g) "Comprehensive Plan" means the comprehensive plan for the City adopted pursuant to City Ordinance # 99-003.
- (h) "Density" means the total number of Dwelling Units per acre permissible for a given use under the terms of this Agreement. No other density requirements are applicable to the Project.
- (i) "Development" means the planning for or carrying out of a building activity or mining operation, the making of a material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels, and is intended by the Parties to include all uses of, activities upon or changes to the Real Property as are authorized by the Agreement.  
  
"Development" as designated in a land or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, "Development" refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this item.
- (j) "Development Parcel" means any parcel of land on which Development may occur, including platted Lots and unplatted parcels, but excluding street rights-of- way.
- (k) "Development Permit" includes a building permit, zoning permit, subdivision approval, rezoning certification, conditional use, variance, and certificate of occupancy or any other official action of Local Government having the effect of permitting the Development or use of property.
- (l) "Dwelling Unit" means one or more rooms, designed, occupied or intended for

occupancy as a separate living quarter, with cooking, sleeping and sanitary facilities provided within the dwelling unit. Dwelling Unit does not include accessory buildings in the Tract. Dwelling Units include single-family homes, townhomes, condominiums and other multi-family units.

- (m) "Facilities" means major capital or community improvements including, but not limited to, transportation, sanitary sewer, solid waste, drainage, and potable water. The Property Owner is responsible for only those specific Facilities that Property Owner expressly undertakes to install in this Agreement. See Section 21.
- (n) "Finished Grade" means the average elevation of a Lot after site improvements. Height is measured from one foot (1') above Finished Grade.
- (o) "Height" means elevation from Finished Grade as measured in feet and/or stories, except when the slope of the applicable real property is irregular, the Height shall be the average of the elevations as measured at the four (4) corners of the building in feet and/or stories. Height in stories is the number of habitable floors (stories) exclusive of the area below the first finished floor.
- (p) "Impact Fees" means and refers to all fees, charges, dedications, obligations, or exactions of any kind whatsoever that may be imposed by the City under existing or future City Ordinances, existing or future state statutes, or as a matter of legal or equitable right arising, directly or indirectly, from any Development of the Real Property.
- (q) "Impervious Surface" means a surface which does not permit the absorption of storm water into the ground. This may include walkways and driveways which are impervious to storm water.
- (r) "Land Development Regulations" means ordinances and regulations enacted by the appropriate governing body for the regulation of any aspect of Development and includes, but is not limited to, Local Government zoning (including the Zoning Ordinance), rezoning, subdivision, building construction, occupancy, aesthetic, road, or sign regulations or any other regulations controlling the Development or use of property.
- (s) "Laws" means all ordinances, resolutions, regulations, Comprehensive Plans, Land Development Regulations, policies and rules, custom and usage (formal or informal) adopted by a Local Government affecting the Development of property and includes laws governing permitted uses of the property, governing density, and governing design, improvement, and construction standards and specifications, except as provided in §6-31-140(A).
- (t) "Lot Coverage" is the portion of the lot area, expressed as a percent (rounded to the nearest whole percent), that is covered by the maximum horizontal cross section of a building or buildings exclusive of eaves."



- (u) "Design Review Board" means the design review board as it pertains to uses on the Real Property to be formed prior to recordation of a Subdivision Plat by Property Owner.
- (v) "Covenants" means and refers to the Declaration of Covenants, Conditions, and Restrictions for all Properties developed within the Real Property to be prepared and recorded prior to recordation of a Subdivision Plat by Property Owner including any and all amendments and supplements thereto.
- (w) "Local Government" means any county, municipality, special district, or governmental entity of the State, county, municipality, or region established pursuant to law which exercises regulatory authority over, and grants Development Permits for land Development or which provides public Facilities.
- (x) "Lot" means Development Parcel identified in a Subdivision Plat recorded in the Office of the Register of Deeds for Berkeley County.
- (y) "Open Space" means any unimproved parcel or portion of a site which is set aside and reserved solely for public or private use and which is of substantial shape and size to provide an aesthetic, environmental, and recreational value to the residents of the subdivision and/or community.
- (z) "Parties" are the Property Owner and City.
- (aa) "Permitted Uses" or "Uses" means the specific land uses enumerated under the Zoning Ordinance and in Appendix II by which the Property shall be used and developed the Property Owner.
- (bb) "Planning Commission" means the Planning Commission for the City as created under the City's ordinances §101 et seq.
- (cc) "Project" is the Development that has occurred and will occur on the Real Property.
- (dd) "Property Owner" means the Estate of Earl E. Mackey, their successors in interest, or successors in title (as to any portion of the Real Property) and/or assigns by virtue of assignment or other instrument pursuant to Section 36 hereof. When used herein with reference to a specific Development Parcel, Lot, or specific portion of the Real Property, Property Owner shall mean and refer to that specific person or entity that has legal title to the Tract, Development Parcel, Lot, or specific portion of the Real Property. This definition of Property Owner shall not be understood to impose obligations, burdens, or liabilities on any of the particular person or entities comprising the Property Owner for portions of the Real Property not owned by them. Property Owner warrants that there is no other legal or equitable owner of the Real Property.
- (ee) "Real Property" is the real property referred to in Section 4 and includes any improvements or structures customarily regarded as part of real property. The

Property Owner reserves the right to include additional real property to be governed by the terms of this Agreement and upon sending written notice to the City of such purchase, the additional real property shall be included in the definition of Real Property.

- (ff) "Setback" means and refers to the minimum distance to the nearest adjacent property line when measured at right angles.
- (gg) "Single Family Detached Dwelling" means a building containing one Dwelling Unit that is not attached to any other Dwelling Unit and is surrounded by yards or open space.
- (hh) "Subdivision Plat" means a recorded graphic description of property (having its principal frontage upon an approved street or access) prepared and approved in compliance with the Zoning Ordinance as modified by Appendix I & Appendix III.
- (ii) "Tract" means that parcel constituting the Real Property as shown in Exhibit B.
- (jj) "Vested Units" means the total number of Dwelling Units per acre authorized on any portion of the Real Property by this Agreement.
- (kk) "Zoning Board of Appeals" or "ZBA" means the duly appointed Zoning Board of Appeals of the City of Goose Creek.
- (ll) "Zoning Ordinance" means the City of Goose Creek Zoning Ordinance, a copy of which is attached hereto as Appendix IV and incorporated herein by reference.

## 2. **Parties**

Parties to this Agreement are the Property Owner and the City. When used herein with reference to the Tract, Development Parcel, Lot, or other specific portion of the Real Property, Parties shall mean and refer to the City and that specific person or entity that has legal title to the Tract, Development Parcel, Lot, or specific portion of the Real Property. If portions of this Agreement apply to one or more, but not all, of the entities or persons comprising the Property Owner, those particular parties may be separately referred to.

## 3. **Relationship of the Parties**

This Agreement creates a contractual relationship among the Parties. This Agreement is not intended to create, and does not create, the relationship of master/servant, principal/agent, independent contractor/employer, partnership, joint venture, or any other relationship where the City or Property Owner may be held responsible for the acts of the other Party; furthermore, this Agreement is not intended to create, nor does it create, a relationship whereby the conduct of the Property Owner constitutes "state action" for any purpose.

## 4. **Legal Description of the Real Property**

The Real Property which is the subject of this Agreement is located in Berkeley County and identified as TMS #222-00-00-006 more specifically described by the following:

- (i) A legal description of the Real Property is set forth in Exhibit A.
- (ii) A map of the Real Property is set forth in Exhibit B.

The Real Property currently comprises 29.37 acres +/- consisting of 26.89 acres +/- of highland and 2.48 acres +/- of wetlands at the time of this Agreement.

The Property Owner reserves the right to include additional real property to be governed by the terms of this Agreement.

5. **The Property Owner**

(a) **Identity of Property Owner.**

Property Owner means the Estate of Earl E. Mackey, their successors in interest, or successors in title (as to any portion of the Real Property) and/or assigns by virtue of assignment or other instrument pursuant to Section 36 hereof. When used herein with reference to a the Tract, Development Parcel, Lot, or specific portion of the Real Property, Property Owner shall mean and refer to that specific person or entity that has legal title to the Tract, Development Parcel, Lot, or specific portion of the Real Property. This definition of Property Owner shall not be understood to impose obligations, burdens, or liabilities on any of the particular persons or entities comprising the Property Owner for portions of the Real Property not owned by them. Property Owner warrants that there are no other legal or equitable owners of the Real Property.

6. **Benefits and Burdens**

The City and Property Owner agree that the burdens of this Agreement bind, and the benefits of this Agreement shall inure to, each of them and to their successors in interest and, in the case of the Property Owner, their successors in interest, successors in title and/or assigns pursuant to Section 36 hereof. The City and the Property Owner enter this Agreement in order to serve benefits and burdens referenced in City Ordinance #02-004.

7. **Consistency with City's Comprehensive Plan and Land Development Regulations**

This Agreement is consistent with the City's Comprehensive Plan and Land Development Regulations.

8. **Development Agreement Governs**

Whenever express or implied substantive provisions of this Agreement are inconsistent or in conflict with the applicable standards set forth in the Ordinances of the City of Goose Creek or other Laws of a Local Government, the provisions and standards set forth in this Agreement shall

govern. This rule of interpretation shall replace that set forth in the City's Zoning Ordinance §151.210 with regard to the effect of "Interpretation and Conflict."

9. **Legislative Act**

This Agreement constitutes a legislative act of the City Council of the City. The City Council adopted this Agreement only after following procedures required by S.C. Code §6-31-10 *et seq.* and City Ordinance #02-004. This Agreement shall not be construed to create a debt of the City as referenced in S.C. Code §6-31-145. Any minor modifications in the standards established by this Agreement shall require administrative approval by the City, subject to compliance with applicable statutory procedures and consistent with Section 10(a).

10. **Applicable Land Use Regulations**

(a) **Applicable Laws and Land Development Regulations.**

Except as otherwise provided by this Agreement or by S.C. Code §§6-31-10 *et seq.* and City Ordinance #02-004, the Law applicable to Development of the Real Property that is subject to this Agreement, are those in force at the time of execution of this Agreement Extension. The City shall not apply subsequently adopted Laws and Land Development Regulations to the Real Property or the Project unless the City has held a public hearing and has determined: (1) the proposed subsequent Laws or Land Development Regulations are not in conflict with the Laws or Land Development Regulations governing the Agreement and do not prevent the Development set forth in this Agreement; (2) the proposed subsequent Laws or Land Development Regulations are essential to the public health, safety, or welfare and the proposed subsequent Laws or Land Development Regulations expressly state that they apply to a development that is subject to a development agreement; (3) the proposed subsequent Laws or Land Development Regulations are specifically anticipated and provided for in this Agreement; (4) substantial changes have occurred in pertinent conditions existing at the time of approval of this Agreement which changes, if not addressed by the City, would pose a serious threat to the public health, safety, or welfare; or (5) this Agreement is based on substantially and materially inaccurate information supplied by the Property Owner.

(b) **Changes in City Procedure for Administering Current Regulations.**

During the term of this Agreement, the City may modify procedures or composition of entities that review various matters under the City's zoning and development procedures. If a review entity identified in the Current Regulations no longer exists, the parties shall agree upon an alternative review procedure. The alternative review procedure shall not be more demanding, restrictive or costly to the Property Owner than the procedure existing under the Current Regulations.

(c) **Applying New City Development Standards.**

In recognition of the fact that the City may, in the future, improve the City Zoning and

Land Development Regulations in existence at the Effective Date, Property Owner may notify the City Planning Director in writing that Property Owner voluntarily elects to be bound by the modified provision(s). Thereafter, the modified provision shall also apply to the Property and be considered part of the Current Regulations.

11. **Building Codes and Laws Other Than Land Use Regulations**

Notwithstanding any provision which may be construed to the contrary in this Agreement, the Property Owner must comply with any flood, building, housing, electrical, plumbing and gas codes subsequently adopted by the City or other governmental entity, as authorized by Chapter 9 of Title 6 of the South Carolina Code. This Agreement shall not be construed to supersede or contravene the requirements of any flood, building, housing, electrical, plumbing and gas codes subsequently adopted by the City or other governmental entity, as authorized by Chapter 9 of Title 6 of the South Carolina Code. The provisions of this Agreement are not intended, nor should they be construed in any way, to alter or amend in any way the rights, duties and privileges of the City to exercise governmental powers and pass laws not applicable to Development of the Real Property including, but not limited to, the power of eminent domain and the power to levy and collect taxes; provided, however, that Laws applicable to the Development of the Real Property shall be subject to Section 10(a).

12. **Permits for Development of the Real Property**

The Parties anticipate that local, state and/or federal permits will be needed to complete Development of the Project which may include, but are not limited to site plan reviews, plat approvals, clearing, grading and drainage permits, land disturbance permits, storm water permits, sanitary sewer and water plans, roadway encroachment permits, building permits and certificates of occupancy.

The failure of the Agreement to address a particular permit condition, term, or restriction does not relieve the Property Owner of the necessity of complying with the law governing the permit requirement, conditions, terms, or restrictions.

The City agrees to cooperate and support the efforts of the Property Owner to obtain any and all required permits from County, state and federal regulatory agencies governing development of the Project as long as such permit is consistent with the intent of this Agreement.

13. **Vested Rights Governing the Development of the Real Property**

(a) **Vested Rights.**

Subject to the provisions of Section 10(a) of this Agreement, all rights and prerogatives accorded the Property Owner by this Agreement shall immediately constitute vested rights for the Development of the Real Property. Section 10(a) of this Agreement does not abrogate any rights either preserved by S.C. Code §6- 31-140, City Ordinance #02-004, or that may have vested pursuant to common law and otherwise in the absence of a development agreement.

(b) The Tract.

The Real Property Tract which is subject to this Agreement is delineated on Exhibit B.

(c) Vested Rights for the Tract.

The Tract is entitled, as a vested right of the Property Owner, to the Building Development Standards, uses, Densities, Dwelling Units and other Development rights and prerogatives as set forth generally herein; these include the Vested Units and Vested Rights described in Section 15.

14. **Vested Rights as to Permitted Uses for the Tract**

(a) Uses.

All residential uses allowed under City ordinances as well as those listed in Appendix II shall be considered to be vested and permitted as a matter of right on the Real Property.

Appendix II shall also govern conditional uses on the Real Property.

(b) Mixed Uses.

If more than one permitted use in Appendix II applies to a Tract or portion of a Tract, the City shall allow different permitted land uses on a particular Lot or Development Parcel.

(c) Approval of Uses by Design Review Board.

Property Owner shall form the Design Review Board as described in Section 1. An applicant, prior to application to the City for a variance or request for a conditional or accessory use, must submit such request to the Design Review Board; thereafter, the Design Review Board in accordance with procedures promulgated by Property Owner may approve or disapprove (in its sole discretion) such application for variances and requests for conditional or accessory uses. If approved, the applicant may then apply to the City for such variance or request for conditional or accessory use pursuant to this Development Agreement and the Zoning Ordinance. The Design Review Board may approve such applications, with or without conditions. Determinations of applications for variances, conditional or accessory uses and/or interpretations shall be made in writing by the Design Review Board and copied to the City. The City's subsequent review and approval or denial of the application will be the final determination. Property Owner shall determine the size and composition of the Design Review Board and may adopt more specific guidelines for such Design Review Board.

15. **Vested Rights Governing the Development of the Tract**

(a) Permitted Uses.

The Permitted Uses are defined in Appendix II.

(b) Total Dwelling Units / Density.

The total number of Dwelling Units shall be not exceed 4.5 units per net acre. Accessory buildings shall not be counted toward this cap.

(c) Building Development Standards.

Lot area, lot width, lot depth, lot coverage, height, setback and yard requirements shall be in accordance with Appendix III.

16. **Parking/Loading Areas**

(a) Parking and Loading Areas.

The landscaping, design, configuration, number, size, location, lighting, and materials for parking and loading requirements shall be governed by the standards set forth in the Zoning Ordinance as amended by this Agreement. All off-street parking shall have direct access to a street, road, alley, or access easement.

17. **Height/First Finished Floor**

(a) Height.

Buildings and other structures shall not exceed the Height from Finished Grade specified in the Zoning Ordinance or as described in Appendix III of this Agreement. Chimneys, antennae, ventilation pipes, and uninhabitable space (such as architectural elements above the highest ceiling, including sloping roofs), are not considered in determining Height.

(b) First Finished Floors.

The first finished floor of all Dwelling Units and all non-residential improvements shall be no lower than the lowest finished floor elevation permitted by the City's Flood Hazard Controls, §151.081. The City agrees to allow the Property Owner to flood proof all buildings in the A-Zone in lieu of elevating the first finished floor in accord with City Ordinance §151.081 et seq. for non-residential buildings.

18. **Buffers, Fencing, and Signage**

(a) Buffers, Bufferyards, and Screening.

The Project has been designed with natural and manmade transitions between adjacent or adjoining parcels with differing use intensities. There shall be a requirement for internal buffering or screening between portions of the Real Property with different uses and/or

densities per the City Zoning Ordinance §151.085. The Zoning Administrator may allow changes to the requirements of §151.085 when the strict adherence to the Ordinance causes undue hardship or where natural buffering is deemed sufficient for the proposed uses and/or densities.

(b) Signage.

All signs on the Project (on premises and off premises) shall be governed by guidelines for signage adopted by the Property Owner and the Zoning Ordinance as amended by Appendix I.

19. Trees

The City's tree protection ordinances, including, but not limited to, §151.080 et seq., shall apply, as modified by the provisions of Appendix I. Clear cutting is strictly prohibited. Any timbering activities must comply with any and all laws, codes, and regulations of the State of South Carolina.

20. Impact Fees / Exactions

(a) Amount / No Other Impact Fees.

The City agrees that the only Impact Fees or exactions of any kind as a result of the Development of the Real Property shall be the fees imposed by its Ordinances §151.087 et seq. of the Zoning Ordinance and those prevailing fees charged by the City's Department of Public Works. The City agrees that the fees required under §151.087 et seq. and by the City's Public Works, along with the improvements, parks, recreational areas, and facilities required by this Agreement, and existing improvements and facilities, shall satisfy all current and future obligations of the Property Owner for impacts and Impact Fees from the Development of the Property and for monetary exactions and/or the provision or dedication of lands on the Real Property. If City Ordinance §151.087 et seq. (or the rate schedule of the City's Department of Public Works) is amended to decrease these fees, the Property Owner shall have the benefit of such decrease, as of the effective date of such amendment. The Parties agree that the Property Owner need not perform any further impact assessment of the Project.

(b) Property Improvements

The Property Owner shall cooperate with the City to determine the feasibility of donating certain wetlands on the Property to the City for open space conservation; such donation shall be subject to reserved rights of the Property Owner with regards to the wetlands.

21. Facilities and Services

Although the nature of this long term Project prevents the Property Owner from now providing exact completion dates, the Property Owner certifies that the following services and Facilities



will be in place (or if not fully in place, the cost of their construction fully bonded or letter of credit posted pursuant to the City's Zoning Ordinance, as modified by this Agreement, including, without limitation, Appendix I, Appendix II, Appendix III, Appendix IV), at the times provided below and as to roads, sewer, and water infrastructure, at the times Lots or Dwelling Units in subdivided real property are offered for purchase to the public. Subject to compliance with applicable Laws and with all provisions of this Agreement, the City hereby authorizes the Property Owner to install the Facilities which it has undertaken to provide herein.

(a) Roads.

The Property Owner shall at its expense develop and provide roads and their related infrastructure. Property Owner retains the right to determine the location of curb cuts, provided the Property Owner has a qualified engineer determine that their location does not present a significant safety hazard. The location of any internal connecting streets between parcels shall be in the Property Owner's discretion. All development of roads and curb cuts are subject to the review and approval of the Berkeley County Engineering Office and shall be built and maintained in accordance with the requirements of Berkeley County.

(b) Water and Sewer.

The service and facilities for water and sewer shall be provided by Berkeley County Water and Sanitation Authority.

(c) Drainage.

(i) Adequacy / Compliance.

Property Owner shall provide adequate drainage for the development of the project in accordance with the City's Ordinances and Berkeley County requirements for acceptance, except as amended herein, and other applicable regulatory guidelines, including those of the Department of Ocean and Coastal Resource Management.

Property Owner agrees to dedicate all drainage easements after completion to the County for acceptance and maintenance.

(ii) Easements.

Property Owner will convey drainage easements to the County in a form of easement mutually acceptable to the parties.

(iii) Maintenance / Clearance.

Property Owner shall have the right to place plantings, fencing, signs, parking lots, and anything else that is not a habitable structure within the drainage

easements, if approved by Berkeley County, provided they do not impair drainage and provided Property Owner will timely and competently clean around these if requested by the City and/or County.

(d) Streetlights.

The Property Owner shall have the right to decide the location and number of streetlights; provided, however, there shall be one light fixture per six (6) dwellings. The Property Owner will pay all streetlight installation expenses above those normally paid by the City. The City will pay the electricity consumption charges for one light fixture per six (6) dwellings, unless the City's overall streetlight policy changes to pay the electricity charges for an increased number of streetlights per dwelling, in which event the City agrees that the Property Owner shall be treated the same and receive the benefit of this change. City will also pay for the electricity charges for all streetlights located in a public right-of-way.

Lighting for non-residential uses shall be as provided in the Zoning Ordinance as amended by this Agreement.

(e) Open Space / Trails / Sidewalks.

Open Space within Project shall meet the requirements outlined in Appendix I.

There shall be no requirement as to the number, size, configuration, lighting, location, and path surfaces of sidewalks and trails throughout the Project, except Property Owner shall build sidewalks on each side of each street. Property Owner shall submit pedestrian path / trail plan to the City's planning and zoning staff for approval. The City shall not unreasonably withhold approval. Should City desire to build additional extensions of the trail system or to connect same to the City's system of trails, bike paths, and sidewalks, Property Owner agrees to cooperate in the donation of easements for such purpose.

Sidewalks shall be constructed in a manner that meets the requirements of the Americans with Disabilities Act ("ADA").

(f) Utility Easements.

Property Owner shall furnish necessary easements for water, sewer, gas, electricity, telephone, cable television, and other utilities. Adequate easements for utilities shall be reserved by Property Owner in conveyances of Lots, Dwelling Units, and Development Parcels. The location and size of such easements shall be in the discretion of the Property Owner.

All utilities shall be installed underground within the Real Property unless approved by the City.

(g) Stoplights and Street/Traffic Control and Other Street Signage.

The Property Owner shall have the authority to determine all street and traffic control signs. All traffic control signs must meet the standards of the South Carolina Department of Transportation. Property Owner will cooperate, if requested, in assisting the City and neighboring communities in obtaining traffic signal(s).

(h) Sanitation Services.

The City will provide the curbside garbage and trash pick-up service to the Project that is common and customary to other residential subdivisions in the City.

(i) Law Enforcement Services.

(i) Police Protection.

The City agrees that it will furnish standard police patrolling and monitoring throughout the Project.

(ii) Animal Control.

The City agrees to provide standard animal control services including having its animal control officers patrol the Project. The City agrees that these animal control officers, when on duty and available, shall respond in a standard prompt manner to requests from residents within the Project.

22. **Archeological and Historic Sites / Wetlands / Endangered Species**

Subject to the provisions of S.C. Code §6-31-80, the Parties agree as follows:

- (a) The archeological investigation commissioned or to be commissioned by Property Owner shall govern all matters dealing with archeology and history on the Real Property. The City shall not require the Property Owner to take steps beyond those outlined in that archeological investigation.
- (b) The City agrees that the permits to impact wetlands obtained or to be obtained by the Property Owner from federal and/or state regulatory agencies shall serve as the controlling document between the Property Owner and the City as to the impacting of wetlands specified in the permit.
- (c) The City agrees that it shall not require any further endangered species studies beyond those performed or to be performed by Property Owner.

23. **Development Schedule for The Project**

The Parties acknowledge that the development of the Project will occur in multiple phases with the number of residential units constructed in any given year subject to real estate market