

ORDINANCE NO. 23-09-65

AN ORDINANCE TO AMEND ARTICLE 9, THE PIMLICO OVERLAY DISTRICT, OF THE BERKELEY COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (AS AMENDED) TO SUPPORT LOT REALLOCATION, CONSOLIDATE DEVELOPMENT FOOTPRINT, AND MINIMIZE IMPACTS.

WHEREAS, Berkeley County Council adopted a Zoning and Development Standards Ordinance, including Official Zoning and Development Standards Maps, on August 26, 2002, pursuant to Title 6, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Berkeley County Council adopted such regulations for the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County; and

WHEREAS, The Pimlico Overlay District sets forth specific minimum lot size requirements that were initially established in 2008 and amended in 2010.

WHEREAS, The Planning and Zoning Department has been working collaboratively with both community and development stakeholders to prepare modifications to the Pimlico Overlay District that seek to balance community and private development interests.

WHEREAS, the Berkeley County Council has determined that the following amendments are necessary in order to respond to the changing needs of the County and its citizens; and


WHEREAS, the Berkeley County Council has determined that the amendment contained herein is for the public good, the morals and the general welfare of the County of Berkeley and its citizens, and that it is consistent with the Berkeley County Comprehensive Plan, which was adopted on June 27, 2011.

NOW, THEREFORE, BE IT ORDAINED that Article 9, Overlay Districts – The Pimlico Overlay District, is hereby amended in its entirety and revised as follows:


ENACTED this 25th day of September, 2023.

[SEAL]


BERKELEY COUNTY, SOUTH CAROLINA


John P. Cribb, County Supervisor
Chairman, County Council

Certified True and Correct Copy of Original Record


Amanda D. Turner
Clerk to Council
County Council Berkeley County SC

ATTEST:



Amanda D. Turner
Clerk to County Council

Approved as to form:



John O. Williams, II
County Attorney

First Reading: July 24, 2023
Second Reading: August 28, 2023
Public Hearing: September 25, 2023
Third Reading: September 25, 2023

9.4. Pimlico Overlay District.

The following rules shall apply to the properties located within the Pimlico Overlay District.

A. *Minimum lot size.* The minimum lot sizes for the six areas are depicted on Exhibit A:

Area 1: 14,500 sf.

Area 2: 14,000 sf.

Area 3: 12,000 sf.

Area 4: 10,000 sf.

Area 5: 8,000 sf.

Area 6: 5,800 sf.

Area 7: Open Space Conservation Area

B. *Lot Allocation.* The total residential lot count within parent parcel 198-00-00-002 shall not exceed 381.

C. *Setbacks.*

Parcel Size	Front (feet)	Sides (feet)	Rear (feet)	Second Street Front (feet)	Open Drainage* (feet)	Ingress/Egress Easements†
14,000 sq. ft. and greater	35	15	30	35	30	Min. required for front, rear, or side
10,000 sq. ft. to 13,999 sq. ft.	30	10	25	30	30	Min. required for front, rear, or side
6,001 sq. ft. to 9,999 sq. ft.	25	7.5	20	25	30	Min. required for front, rear, or side
6,000 sq. ft. and under	20	7.5	20	20	30	Min. required for front, rear, or side

* This is the minimum setback required for open drainage ditch and/or stormwater pond easement lines (excluding swales).

† This is the minimum setback from any ingress/egress easement.

Accessory structures are permitted in the rear and side yards only with minimum five-foot setbacks from the side and rear property lines or ingress/egress easements, whichever is greater. If the accessory structure is placed in that portion of the yard that fronts a second street frontage of the property, the setback from the second street frontage property line for the accessory structure is the required second street frontage setback for the primary structure.

D. *Impervious coverage.* 50 percent maximum.

E. *Building height.* Less than 35 feet to the eave of the structure.

F. *Bufferyards:* A 25-foot buffer shall be installed along Pimlico Boulevard. The distance will be measured from the road right-of-way and will consist of four canopy trees, four understory trees, and 25 shrubs per 100 feet of road frontage.

G. *Public street construction.* This subsection applies to these roads and road sections only:

British Drive

Buckingham Drive

Dover Lane

Queens Drive

Suffolk Drive

Wellington Drive

Westminster Way

Windsor Lane

For existing platted but incomplete roads a 50-foot right-of-way with open ditch section and 22 feet of pavement width will be accepted by the county where a licensed engineer in the State of South Carolina can prove the open ditch can be fully contained and function properly within the 50-foot right-of-way. Any future extensions of these roads, with the exception of British Drive and Queens Drive, may be constructed with 50-foot rights-of-way for a length of one block or 750 feet, whichever is less.

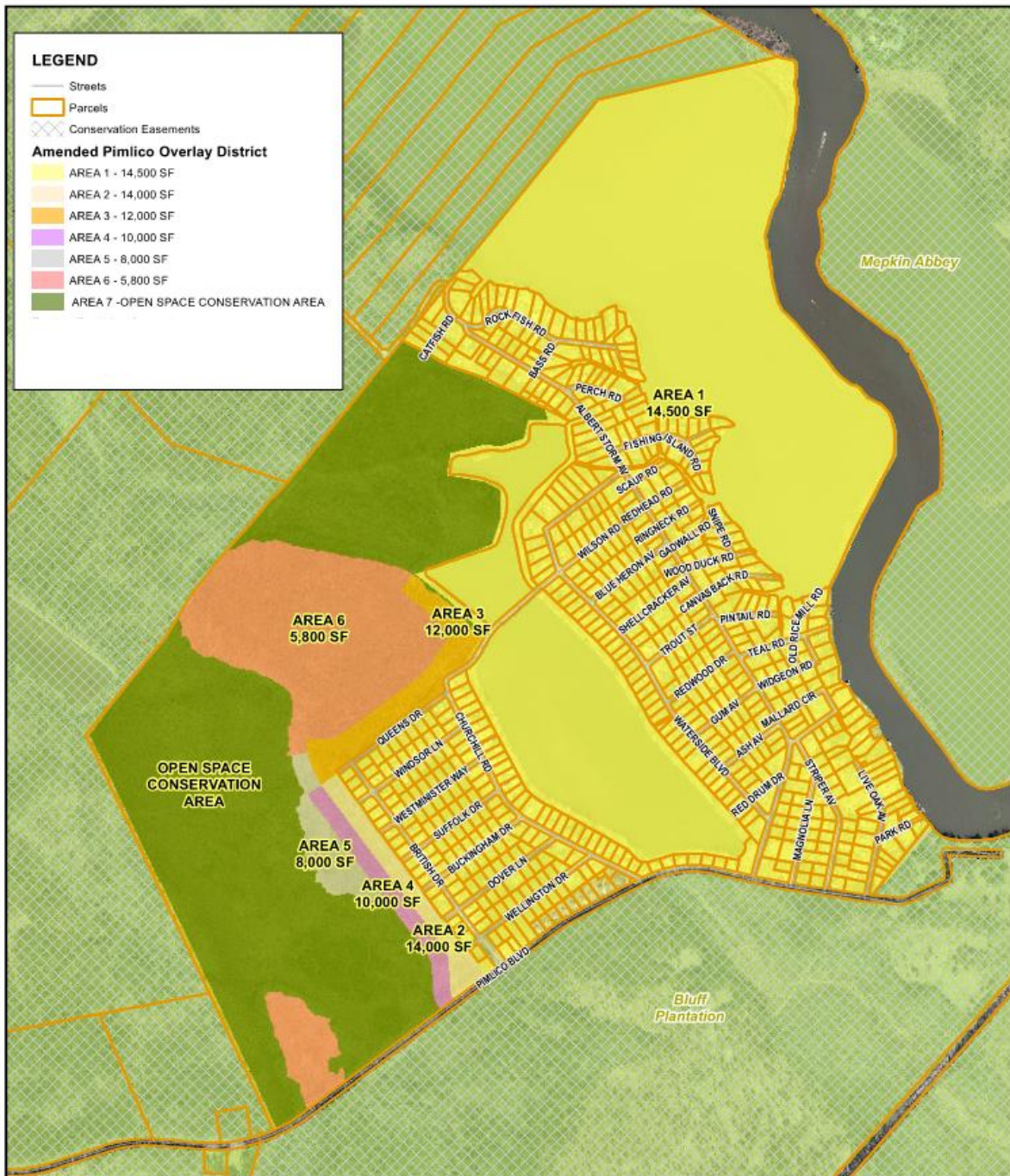
All future platted roads and new development in the Pimlico Overlay District must comply with the current Berkeley County Ordinances, procedures, and policies in regard to right-of-way, road construction, traffic studies, stormwater and NPDES Phase II requirements. Future platted roads serving new subdivision development shall not serve more than 350 residential lots/units without additional external paved points of vehicular access as pursuant to Chapter 59, The Land Development and Subdivision Regulations of Berkeley County.

With the exception of Pimlico Boulevard, residential streets and the associated rights of way planned within parent parcel 198-00-00-002 shall not interconnect to existing neighborhood streets and/or previously platted rights of way. However, recreational, pedestrian, and/or secondary emergency access connections may be permitted to interconnect to any existing neighborhood streets and/or previously platted rights of way upon demonstration of proper access rights, adequate measures to mitigate impacts, receipt of plans approvals, and issuance of encroachment permits, as applicable.

- H. *Residential Development Neighborhood Park Requirement.* For any subdivision of land within the overlay district which results in the creation of more than 99 lots, an active park lot must be set aside that is equal to the minimum lot size in the district or the smallest lot size created within the subdivision, whichever is greater. For each 50 lots greater than 99 an additional lot shall be set aside. The park area may be dedicated to the Pimlico Civic Club Inc., for maintenance and upkeep through the Pimlico Special Tax District.
- I. *Open Space Conservation Area.* The Open Space Conservation Area shall be permanently protected, with recordation of proper assurances for perpetual conservation before the first residential building permit is issued within parent TMS 198-00-00-002. With the exception of low-impact recreational improvements and any necessary low-impact property maintenance activities, the Open Space Conservation Area shall remain undisturbed and free of development. The Open Space Conservation Area may be conveyed or dedicated to a public entity, a land trust or conservation bank, or the Pimlico Civic Club.
- J *Sidewalk.* Sidewalks will not be required within the Pimlico Overlay District on any existing or for the extensions of existing streets. New street lengths will be required to construct sidewalks in accordance with the Berkeley County Land Development and Subdivision regulations.

EXHIBIT A:

Pimlico Overlay District Area Map (6.1.23)



Berkeley County GIS Department
P.O. Box 6122
Moncks Corner, SC 29461
(p) 843.719.4049 | (f) 843.719.4190
<http://gis.berkeleycountysc.gov>
Date: 6/7/2023

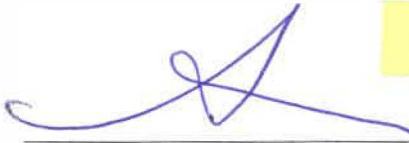


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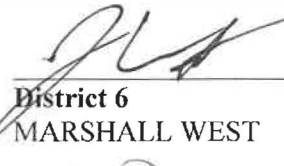
MEMBERS OF BERKELEY COUNTY COUNCIL


Amend Pimlico Overlay
District



District 1
THOMAS D. OWENS
Voting Aye


District 5
AMY STERN
Voting Aye

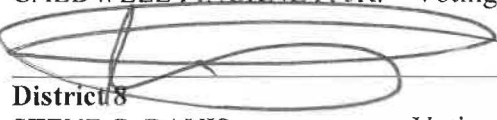
Excused
District 2
JOSHUA S. WHITLEY
Voting N/A


District 6
MARSHALL WEST
Voting Aye


District 3
PHILLIP OBIE, II
Voting Aye


District 7
CALDWELL PINCKNEY, JR.
Voting Aye


District 4
JOE T. NEWELL
Voting Aye


District 8
STEVE C. DAVIS
Voting Aye