

ORDINANCE 2017-04

AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE, §153.336 ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES (C) (3) BUILDING COLOR (c) MURALS

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310, et seq., 6-29-510 et seq., 6-29-710 et seq. and 6-29-110 et seq., of the Code of Laws of South Carolina, 1976, as amended, authorizes the Town of James Island to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Town of James Island Planning Commission has reviewed the proposed text amendments of the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) in accordance with the procedures established in State law and the ZLDR, and has forwarded their recommendations to the Town of James Island Council regarding the proposed text amendments of the ZLDR as set forth in §153.336; and

WHEREAS, upon receipt of the recommendations of the Planning Commission, Town Council held at least 1 public hearing and after close of the public hearing, Town Council approves the proposed text amendments based on the Approval Criteria of Section 153.042 (F) of the ZLDR;

WHEREAS, the Town Council has determined the proposed text amendment meets the following criteria:

- (1) The proposed amendments correct an error or inconsistency or meet the challenge of a changing condition;
- (2) The proposed amendments are consistent with the adopted Town of James Island Comprehensive Plan and goals as stated in Section 153.005; and
- (3) The proposed amendments are to further the public welfare in any other regard specified by Town Council.

NOW, THEREFORE, be it ordained by the Town of James Island Council in meeting duly assembled, as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. TEXT AMENDMENTS OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Town of James Island Zoning and Land Development Regulations Ordinance is hereby amended to include the text amendments of §153.336, and is attached hereto as Exhibit “A” and made a part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent Jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECT DATE

This Ordinance shall become effective immediately following second reading by the Town Council.

ADOPTED and APPROVED in meeting duly assembled this _____ day of April 2017.

TOWN OF JAMES ISLAND COUNCIL

By: _____

Bill Woolsey
Mayor

ATTEST

By: _____

Frances Simmons
Town Clerk

Public Hearing: March 16, 2017
First Reading: March 16, 2017
Second Reading

EXHIBIT A

*Planning Commission Recommendation on February 9, 2017: Staff Recommendation
APPROVED (Vote: 3-1)*

§153.336 ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES
(C) (3) Building Color

(c) Murals on exterior building walls are allowed when included in the number and square footage requirements applying to wall/façade signs (See Table 153.341 C). Any additional or larger murals visible to the public or neighboring properties may be permitted by the Planning Director because of artistic, historic or other cultural interest.

*Planning Commission Recommendation on February 9, 2017: Town Council Recommendation
DISAPPROVED (Vote: 3-1)*

Murals on exterior building walls are permitted when included in the number and square footage applying to wall/façade signs (See Table 153.341 C). Other murals visible to the public or neighboring property owners may be permitted due to artistic, historic or other cultural interest by Special Exception.

*Proposed additions are indicated by bold font

** To review entire section of §153.336, please visit:

[http://library.amlegal.com/nxt/gateway.dll/South%20Carolina/jamesisland_sc/townofjamesislandsouthcarolinacodeofordifn=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:jamesisland_sc](http://library.amlegal.com/nxt/gateway.dll/South%20Carolina/jamesisland_sc/townofjamesislandsouthcarolinacodeofordifn=templates$fn=default.htm$3.0$vid=amlegal:jamesisland_sc)