



**JAMES ISLAND PLANNING COMMISSION  
MEETING AGENDA  
1122 Dills Bluff Road, James Island, SC 29412**

**October 9, 2025**

**5:00 PM**

NOTICE OF THIS MEETING WAS POSTED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT

**This meeting will be live streamed on the Town's website:**

[jamesislandsc.us](http://jamesislandsc.us)

**Public Comments need to be received via email by noon on Wednesday 10/8/2025 to**

[kcrane@jamesislandsc.us](mailto:kcrane@jamesislandsc.us)

- I. CALL TO ORDER
- II. PRAYER AND PLEDGE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. APPROVAL OF JULY 10, 2025 MINUTES
- VI. PUBLIC COMMENTS
- VII. PROPOSED AMENDMENTS TO THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) INCLUDING:
  - a. DEFINITIONS (153.013): Adding definitions for accessory dwelling units and nonconforming registered accessory dwelling units
  - b. NONCONFORMING STRUCTURES (153.359): Adding reference to new section 153.362
  - c. NONCONFORMING REGISTERED ACCESSORY DWELLING UNITS (153.362): Adding wording to allow for nonconforming registered accessory dwelling units, with conditions and requirements  
*Planning Commission will vote on a recommendation to Town Council*
- VIII. CHAIR'S COMMENTS
- IX. COMMISSIONERS COMMENTS
- X. NEXT SCHEDULED MEETING DATE: NOVEMBER 13, 2025
- XI. ADJOURN

The Planning Commission of the Town of James Island met on Thursday, July 10, 2025 at 5:09 p.m. in person at the James Island Town Hall, 1122 Dills Bluff Road, James Island, SC 29412.

Commissioners present: Kelly Hall, Vice Chair (Acting as Chair), Zennie Quinn and Patrick Broderick via conference call. Absent: Chair Deborah Bidwell and Commissioner Ed Steers. Both gave notice of their absence.

Also present: Kristen Crane, Planning Director, Mayor Brook Lyon, Council Liaison, and Frances Simmons, Town Clerk and Secretary to the Planning Commission.

Call to Order: Chair Hall called the Planning Commission meeting to order at 5:09 p.m. A quorum was present to conduct business.

Prayer and Pledge of Allegiance: Chair Hall asked the Commission to join her in a moment of silence for the victims of the flood in Texas and for the lives that were lost. Afterward, the Pledge of Allegiance was recited.

Compliance with the Freedom of Information Act: Chair Hall announced that this meeting was duly noticed and is being held in compliance with the SC Freedom of Information Act. This meeting was also live-streamed on the Town's website and notification was provided to the public.

Introductions: Members of the Planning Commission, staff, and Mayor Lyon were introduced.

Approval of May 8, 2025 Minutes: Chair Hall called for a motion to approve the minutes of the May 8, 2025 meeting. The motion was made by Commissioner Quinn, seconded by Commissioner Broderick. There were no corrections or discussion.

Vote

Commissioner Quinn	Aye
Commissioner Broderick	Aye
Chair Hall	Aye
Unanimous	

Public Comments: No public participants.

Zoning Map Amendment:

Case #ZCN-5-25-015: Request to rezone property located at 1444 Folly Road from the Residential Office (OR) Zoning District to the Neighborhood Commercial (CN) Zoning District for a Retail Sales use (accessory building sales lot) TMS# 427-01-00-051: Chair Hall introduced the case before the Planning Commission. Planning Director; Kristen Crane provided the staff review and recommendations.

History and Overview:

1444 Folly Road is located about 1400 feet south of the Fort Johnson and Folly Road intersection, in the South Village Area of the Folly Road Corridor Overlay (FRC-O) Zoning District. The property is currently vacant. The parcel included in the current Zoning Map Amendment Request is 0.50 acres in size and is in the OR Zoning District. The parcel is considered a legal conforming lot.

The applicant and owner, Ms. Amy Emde is seeking to rezone the parcel from the OR Zoning District to the CN Zoning District to establish a Retail Sales Use, which is allowed with a CN zoning designation, according to Use Table 153.110.

### **Adjacent Zoning:**

Adjacent property to the north is in the OR Zoning District in the Town of James Island and has a residential use. To the east is residentially zoned property and is also in the Town. Property to the south is zoned SR-2, utilized as a church and is in the City of Charleston. Adjacent property to the west is in the City of Charleston, zoned General Business, and utilized by Pet Helpers.

### **Approval Criteria:**

According to Section §153.043 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) may be approved only if Town Council determines that the following criteria are met:

**1. The proposed amendment is consistent with the *Comprehensive Plan* and the stated purposes of this Ordinance;**

Staff's response: In the Comprehensive Plan, a Community Facilities Element strategy is to "explore opportunities to create and maintain more active recreational facilities for the residents of James Island". The applicant's letter of intent states that "my sole intention is to operate this shed business as a temporary use until I am able to fund and develop a permanent swim school facility on the site. My goal is to activate and beautify an underutilized parcel in the interim, in a way that serves the James Island community and supports the local economy". The South Village Area of the FRC-O is "intended to have a mix of high to medium intensity uses along the west side of Folly and low intensive development on the east side of Folly Road." Therefore, the proposed amendment and future use may be consistent with the intent and purpose of the Ordinance and the Comprehensive Plan.

**2. The proposed amendment will allow development that is compatible with existing uses and zoning of nearby property;**

Staff's response: Nearby properties have a wide range of existing uses and zoning. The immediate adjacent properties are mixed between commercial, religious and residential uses. If approved, the subject property will retain its residential office use capability. Therefore, the proposed amendment may allow development that is compatible with existing uses and zoning of nearby property.

**3. The Town and other service providers will be able to provide adequate water and sewer supply, storm water facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development;**

Staff's response: The Town and other service providers will be able to provide adequate water and sewer supply, stormwater facilities, waste disposal and other public facilities and services to the subject property, while maintaining adequate levels of service to existing development.

**4. The applicant provides documentation that the proposed amendment will not result in significant adverse impacts on other property in the vicinity of the subject tract or on the environment, including air, water, noise, storm water management, traffic congestion, wildlife and natural resources; and**

Staff's response: The applicant's letter of intent states that "this quiet, low-traffic use is consistent with existing commercial activity along the Folly Road corridor and will not result in significant environmental impact, excessive noise, or traffic disruptions. Additionally, the sheds-positioned along the property's long edge-will offer an attractive visual buffer and sound barrier for neighboring properties." The proposed use should not result in significant adverse impacts.

**5. The subject property is suitable for proposed zoning classification considering such things as parcel size, parcel configuration, road access and the presence of resources and amenities.**

Staff's response: The subject property is a legal conforming lot in its current zoning designation of OR. The subject property also meets the minimum standards for the Neighborhood Commercial zoning designation including parcel size and parcel configuration. The parcel has direct access from Folly Road.

Applicant Presentation: The applicant was not present to present her case.

Chair Hall called for a motion in order to have discussion. Motion was made by Commissioner Quinn, seconded by Commissioner Broderick. Afterward, Commissioner Quinn moved to disapprove the request to rezone the property at 1444 Folly Road from Residential Office (OR) to the Neighborhood Commercial (CN) Zoning District for a retail sales use, motion seconded by Chair Hall.

Chair Hall stated her reason for the disapproval is that she feels that the change in zoning, if the property transfers, that leave it open for many options with the change. She feels that leaving it as it is, is in the best interest for Folly Road and the Town.

Commissioner Quinn also stated that leaving the zoning as it is, is the best interest. He said the Planning Commission went through a lot of changes to approve the zoning for the swimming facility and is against changing the zoning.

Commissioner Broderick said he agrees 100%. He believes the aggressive price reductions in the past year clearly shows that the seller is motivated to sell and this is a temporary business.

Vote

Commissioner Quinn	Yes to Disapprove
Commissioner Broderick	Yes to Disapprove
Chair Hall	Yes to Disapprove
Unanimous to Disapprove	

Town Council will hold a Public Hearing and First Reading on this rezoning at their July 17, 2025 meeting and a Second Reading on August 21, 2025.

Proposed Amendments to the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) including:

a. Signs (153.014) Adding wording to allow for animated signs with conditions:

Ms. Crane gave an overview of the general provisions of the Town's signage under Chapter §153.014, including prohibited signs. Ms. Crane defined animated signs as "any sign designed to facilitate or permit an illusion or features actual motion", i.e., the Coburg Dairy Cow that rotates. Animated signs will be prohibited except when approved by the Zoning Administrator and calculated into the signage allowance.

Chair Hall called for a motion in order to have discussion. There were no questions. Commissioner Quinn moved to approve the Proposed Amendment to add wording to allow animated signs with the conditions recommended by staff, seconded by Commissioner Broderick.

Vote

Commissioner Quinn	Aye
Commissioner Broderick	Aye
Chair Hall	Aye
Passed unanimously	

Town Council will hear the Planning Commission's recommendations at its July 17<sup>th</sup> meeting.

Chair's Comments: None.

Commissioners Comments: None.

Next Scheduled Meeting: August 14, 2025.

Adjournment: There being no further business to come before the body, the meeting adjourned at 5:48 p.m.

Respectfully submitted:

Frances Simmons  
Town Clerk/Secretary to the Planning Commission

## § 153.013 DEFINITIONS.

**ACCESSORY DWELLING UNIT (ADU).** A Dwelling Unit providing complete, independent living facilities for one or more Persons that is separate from and subordinate to the principal Dwelling Unit, while both Units are serviced by one electrical meter. This definition includes Garage Apartments.

**NONCONFORMING REGISTERED ACCESSORY DWELLING UNIT (ADU).** An ADU that existed on October 18, 2012, but which no longer complies with the density, intensity, and dimensional standards of the underlying zoning district, yet has met the following requirements to be considered a registered and allowed (legal) ADU.

## § 153.356 EXISTING NONCONFORMITIES.

(A) *Authority to continue.* Any nonconformity that legally existed on October 18, 2012 or that becomes nonconforming upon the adoption of any amendment of this chapter may be continued in accordance with the provisions of this subchapter.

(B) *Determination of nonconformity status.* The burden of establishing that a nonconformity is a legal nonconformity shall, in all cases, rest solely upon the owner of such nonconformity.

(C) *Repairs and maintenance.* Incidental repairs and normal maintenance of nonconformities shall be permitted unless such repairs are otherwise expressly prohibited by this chapter. Nothing in this subchapter shall be construed to prevent structures from being structurally strengthened or restored to a safe condition, in accordance with an official order of the Director of Building Inspection or his or her designee.

(D) *Change of tenancy or ownership.* The status of nonconformity is not affected by changes of tenancy, ownership, or management.

(Ord. 2012-06, §§ 10.1.2 through 10.1.5, passed 10-18-2012; Ord. 2013-09, passed 8-15-2013)

## § 153.359 NONCONFORMING STRUCTURES.

(A) *Definition.* A ***NONCONFORMING STRUCTURE*** is any building or structure that was legally established but which no longer complies with the density, intensity, and dimensional standards of the underlying zoning district. **For NONCONFORMING REGISTERED ADU Regulations, See Section 153.362.**

(B) *Use.* A nonconforming structure may be used for any use allowed in the underlying zoning district.

(C) *Expansion.* A nonconforming residential structure may be enlarged or expanded if such residential expansion follows the outside wall at ground level, other than porches, decks, or canopies. The outside wall (other than porches, decks, or canopies) of a nonconforming residential structure that does not meet current dimensional standards (setbacks), shall only be allowed to expand vertically from ground level provided that such expansion does not exceed the maximum building height requirements for that zoning district or encroach into any setback. All other expansion shall meet all other applicable portions of the chapter including density, intensity, and dimensional standards.

(D) *Moving.* A nonconforming structure may be moved in whole or in part to another location if the movement or relocation does not increase the extent of nonconformity.

(E) *Subdivision.* If a lot is occupied by a nonconforming structure, it may be subdivided provided that subdividing does not create a new nonconformity or increase the degree of nonconformance of the structure.

(F) *Loss of legal nonconforming status; damage or destruction.*

(1) No nonconforming commercial or industrial structure that is damaged by fire or any other cause shall be restored if the cost of the repair work equals 50% or more of the structure's total physical replacement cost. Determination of physical replacement costs shall be made by the Director of Building Inspection. When such repairs are allowed to be made, they shall be in full compliance with the regulations of this chapter.

(2) A nonconforming residential structure that is damaged by fire or any other cause may be restored. In such cases, the structure may be re-established to the extent that existed before the time of damage, within the pre-existing structure boundaries (footprint and height), provided that the repairs or rebuilding do not increase the degree of nonconformity and provided that such repairs, restoration, and reconstruction begin within 12 months of the date of such damage.

(3) Nothing in this section shall conflict with the requirements of the Federal Emergency Management Agency's Flood Plain Management Regulations.

(Ord. 2012-06, § 10.3, passed 10-18-2012; Ord. 2013-09, passed 8-15-2013)

## **§ 153.362 NONCONFORMING REGISTERED ACCESSORY DWELLING UNITS (ADUs).**

**DWELLING (DWELLING UNIT).** A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating, and sanitation facilities.

**ACCESSORY DWELLING UNIT (ADU).** A Dwelling Unit providing complete, independent living facilities for one or more Persons that is separate from and subordinate to the principal Dwelling Unit, while both Units are serviced by one electrical meter. This definition includes Garage Apartments.

- (A) *Definition.* A **NONCONFORMING REGISTERED ADU** is an ADU that existed on October 18, 2012, but which no longer complies with the density, intensity, and dimensional standards of the underlying zoning district, yet has met the following requirements to be considered a registered and allowed (legal) ADU.
- (B) *Determination of nonconformity status.* The burden of establishing that a nonconforming ADU existed before October 18, 2012, in all cases, rest solely upon the owner of such nonconformity.
- (C) *Requirements:*
1. Must apply for Nonconforming Registered ADU status through the application, and be receive approval from the Zoning Administrator in order to continue occupancy.
  2. Only one Nonconforming Registered ADU shall be permitted per lot.
  3. Full-time property owner must reside on property. Proof of full-time residency must be provided at the time of application with owner-occupied legal residence tax bill, driver's license, voter registration, vehicle registration, and any other documentation requested by the Zoning Administrator and listed on the application.
  4. Separate electrical meters shall not be allowed for Nonconforming Registered ADUs.
  5. Nothing in this section shall conflict with the requirements of the Federal Emergency Management Agency's Flood Plain Management Regulations.
  6. There shall be no adding to the existing footprint (expansion) of the Nonconforming Registered ADU.
  7. If structure does not have a current Certificate of Occupancy for habitation, retroactive building permits from Charleston County Building Services must be obtained. This may include updating the structure to comply with current building code, inspections, flood regulations, and any other applicable federal and state regulations including.
  8. Applicant must notify all appropriate government, utility and emergency service providers (including JIPSD, CWS, 911, and Charleston County Addressing), and provide letters of coordination from each entity, per application.

(D) *Determination.* The burden of establishing that a nonconforming ADU existed before October 18, 2012, and that all requirements contained in this



section are satisfied, in all cases, rests solely upon the owner of such nonconformity. Acceptable documentation for proving that a nonconforming ADU existed on October 18, 2012 may consist of sworn affidavits from adjacent property owners and others who have personal knowledge, and/or other evidence deemed necessary and/or sufficient by the zoning administrator.