



JAMES ISLAND PLANNING COMMISSION
Town Hall
1238-B Camp Road, James Island, SC 29412

MEETING AGENDA

April 12, 2018

6:00PM

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

- I. CALL TO ORDER
- II. PRAYER AND PLEDGE
- III. COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT
- IV. INTRODUCTIONS
- V. APPROVAL OF MARCH 8, 2018 MINUTES
- VI. PUBLIC COMMENTS
- VII. STAFF COMMENTS
- VIII. ZONING MAP AMENDMENT: CASE #ZOG-3-18-009
Request to rezone property located at 813 Jordan Street from the Low-Density Suburban Residential District (RSL) to the General Office District (OG) for a parking lot
- IX. PROPOSED AMENDMENT TO THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) INCLUDING:
 - a. 153.093 F (6) FRC-O Folly Road Corridor Overlay District: Adding a development standard to require installation of a multi-use path
- X. CHAIR'S COMMENTS
- XI. COMMISSIONERS COMMENTS
- XII. NEXT MEETING DATE: MAY 10, 2018
- XIII. ADJOURN

The Planning Commission met in Council Chambers of the Town of James Island, 1238-B Camp Road, James Island, SC on Thursday, March 8, 2018 at 6:00 p.m. Commissioners present: Vice Chair Lyndy Palmer, Zennie Quinn, Bill Lyon, Ed Steers, and Chairman David Bevon, who presided. Also, Kristen Crane, Planning Director, Leonard Blank, Town Councilman/Liaison, and Frances Simmons, Town Clerk and Secretary to the Planning Commission.

Call to Order: Chairman Bevon called the meeting to order at 6:00 p.m. A quorum was present to conduct business.

Prayer and Pledge: Chairman Bevon led the Planning Commission in prayer and followed with the Pledge of Allegiance.

Compliance with the Freedom of Information Act: Chairman Bevon announced that this meeting was noticed in compliance with the South Carolina Freedom of Information Act.

Approval of November 9, 2017 Minutes: Chairman Bevon moved for approval of the November 9, 2017 meeting minutes; Commissioner Palmer seconded and motion passed unanimously.

Public Comments: The following persons addressed the Planning Commission:

Brook Lyon, 669 Port Circle, President, Lighthouse Point Neighborhood Assn., shared concerns about short-term rentals (Air B&B & Home Away). It has been brought to her attention by some residents they came on board in February, a small house and a huge one. A huge house is also in the City. Mrs. Lyon said she is a firm believer in property rights, that people are able to make investments as long as it does not affect the neighborhood in a derogatory manner. However, she would not want to live next door to one; she did not buy her house to live next to a hotel. She commented that many people know that she and her husband has rental properties with annual leases and may consider monthly leases, which is legal. Mrs. Lyon said she received a call from a neighbor about one of the houses filled with people; the street was blocked from Lighthouse Blvd (turning onto Grimsley) so that a firetruck could not turn. The other house is a small three bedroom, two bath and no pictures of the house is on the advertisement. Many cars are there with different license plates. Mrs. Lyon shared a resident's concern about his two-year old coming down their back stairs and three pit bulls in the back yard next door almost charged over a 4ft chain link fence. She also mentioned people in the back yard in bikinis, playing rap music and using profanity. This was a bad experience for the visiting mother in-law as well as the two year old. Mrs. Lyon complimented the Town's Code Enforcement for working on this. She wanted to make the Commission aware, and she appreciates the rules and regulations the Town has in place to protect its residents.

David Giotta, 1218 Peregrine Drive, spoke on agenda item #153.210 that if the request is to change the use, he is opposed. If it allows the treatment of animals with a length of stay, he is opposed to it because it would change the complexity of the neighborhood.

Marie L. Cannon, 762 Fort Johnson Road. Spoke on agenda item #153.210. She highly opposes changing residential to business. From what she read, this is what the Town proposes to do. Stiles Point has covenants that does not allow businesses in residential areas.

Staff Comments: None

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

- a. 153.210: Home Occupations: Adding clause to allow for emergency treatment of animals to be allowed in the home of a veterinarian: Planning Director, Kristen Crane began by providing background for the reason to add this clause. She informed the Commission that an applicant with a mobile veterinary service (which is allowed as a Home Occupation) wanted to expand her business to have a surgical clinic in her home for Veterinary Service. The Town does not allow Veterinary Services as a Home Occupation. She explained that on the Town's Use Table, it showed an "S", which meant Veterinary Services were allowed in RSL zoning as a Special Exception, so staff received the application. Mrs. Crane said there is a clause in the Town's Ordinance that state "anytime there is conflicting provisions, the more restrictive regulation would apply", which meant the use would not be allowed so the applicant withdrew the request. Ms. Crane said in order to make the provision clearer and to prevent this from happening again, the "S" would be removed from the Use Table. By doing this, the service would not be allowed as a Home Occupation, even though it was never allowed. She said under Use Table 153.110, the "S" under RSL is stricken. The box is left blank to signify that service is not allowed.
- b. 153.110 Use Table: Removing the Special Exception requirement from Veterinary Services in the RSL Zoning District: Ms. Crane reviewed Section 153.210 (4) and said the emergency clause is added for consistency with the existing section. It states the prohibition shall not be interpreted as preventing medical practioners from seeing patients in the practioner's home on an **emergency** basis. She said this would not allow vets to see patients in their homes on a regular basis, but for emergencies.
- c-e 153.041 Comprehensive Plan Amendments: Mrs. Crane recommends striking "vote by the entire membership of the Planning Commission" and changed to a majority of members present and voting, under Sections 153.041 Comprehensive Plan Amendments; 153.042 Zoning and Land Development Regulation Amendments; and 153.043 Zoning Map Amendments.
- f. 153.110 Use Table: Addition of Conditional Requirements to Allow Stables in the RSL Zoning District with a Minimum Lot Size: Ms. Crane said she has received several requests for stables on lands of five or more acres. The change to Section 153.140: would add a Conditional Clause in RSL to allow stables on minimum lot sizes of five acres. The Comprehensive Plan suggests that properties under this status come into conformity and a few fall under that category. Ms. Crane commented that the County allows horses in their Rural Residential District on three or more acres of land, and under Special Exception, R-4, which is similar to the Town's RSL Zoning District.
- g. 153.110 Use Table: Addition of conditional requirement to allow Food Sales in the Office General (OG) Zoning District with a maximum floor area: This change would add a "C" (Condition) for Food Sales in the General Office (OG) District. Ms. Crane said there are approximately seven General Office (OG) parcels in the Town, (Camp, Harbor View and Folly Roads). This request includes candy shops, bakery, and meat markets, as long as there is a maximum floor area of 5,000 square feet or less; otherwise this use shall fall under the Special Exception procedures of this chapter.

Questions from the Commission:

Commissioner Lyon asked the reason for changing "g". Ms. Crane said she had received a request for a bakery (the former catering company on Camp Rd); and under the Use Table it would not be allowed because it is zoned General Office, even though a catering business had been there for years. Pak and Mail now occupies that space. She said the retail sales is already there so instead of someone applying for a rezoning to a Commercial Neighborhood zoning, candy shops, bakeries, and meat markets could be allowed in an Office General zoning as a Conditional Use as long as there is a maximum floor space of 5,000 square feet.

Vice-Chair Palmer asked if there is an ordinance for food sales in General Office for hours of operation. Ms. Crane said 'no'; however, this is something the Commission could add as a condition.

Commissioner Quinn asked if this would apply to food trucks and Ms. Crane said 'no', mobile food trucks have home occupation permits and they are typically in a permanent location.

Commissioner Steers commented on clause Section 153.110 that gives a medical professional the ability to provide treatment in an emergency. He said this is a common courtesy in a neighborhood.

After questions were addressed, Chairman Bevon asked for a motion to discuss Section 153.210: Home Occupations. Commissioner Lyon moved to accept the staff's recommendation; Chairman Bevon seconded. Chairman Bevon said he agree that whether language is included or not, someone would use a vet next door in an emergency and see no harm in having it included. Commissioner Lyon commented that including it would not give someone the ability to treat an animal on a regular basis only in an emergency. Chairman Bevon stated for clarity that Vets are not allowed as Home Occupations. He said the "S" in the Use Table was an error and that service is not allowed. Motion passed unanimously.

153.110 Use Table: Removing the Special Exception requirement from Veterinary Services in the RSL Zoning District: Chairman Bevon moved to remove the "S" under RSL in the Use Table, seconded by Commissioner Quinn. Motion passed unanimously.

153.041 Comprehensive Plan Amendments

153.042 Zoning and Land Development Regulation Amendments

153.043 Zoning Map Amendments: Chairman Bevon moved to accept the staff's changes under those sections, Commissioner Lyon seconded. Motion passed unanimously.

153.110 Use Table: Addition of conditional requirements to allow Stables in the RSL Zoning District with minimum lot size: Chairman Bevon moved to add "C" as a Conditional Use for Stables in RSL Zoning District based on the language in Section 153.140, seconded by Commissioner Steers. Commissioners Lyon and Steers commented the change will allow more green space and protected areas. Motion passed unanimously.

153.110 Use Table: Addition of conditional requirements to allow Food Sales in the OG Zoning District with a maximum floor area: Chairman Bevon moved to add "C" to the Use Table in General Office (OG) for a Conditional Use for Section 153.163 Food Sales, seconded by Vice-Chair Palmer. Commissioner Quinn said this is appropriate and simpler. Motion passed unanimously.

Election of Planning Commission Officers: Chair and Vice-Chair: Local Planning Commissions must elect one of its members as Chairperson and one as Vice-Chairperson for one-year terms. These appointments begins immediately and lasts through 2018. Chairman Bevon opened the floor for nominations for Chair. Commissioner Lyon moved to elect David Bevon, Commissioner Steers seconded. There were no other nominations. David Bevon was elected unanimously to serve as Chairman.

Chairman Bevon opened the floor for nominations for Vice-Chair. Chairman Bevon moved to elect Lyndy Palmer to serve as Vice-Chair, seconded by Commissioner Steers. There were no other nominations. Lyndy Palmer was elected unanimously to serve as Vice-Chair.

Chair's Comments: None

Commissioners' Comments: None

Next Meeting Date: Thursday, April 12, 2018

Adjourn: There being no further business to come before the body, the meeting adjourned at 6:29 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk and Secretary to the Planning Commission

DRAFT

ZONING CHANGE APPLICATION

CASE Z06-3-18-009 PD _____



Zoning/Planning
Department
Town of James Island
Town Hall
1238-B Camp Road
James Island, SC 29412
(843) 795-4141
Fax: (843) 795-4878

PROPERTY INFORMATION

CURRENT DISTRICT RSL REQUESTED DISTRICT 06

PARCEL ID(S) 425-08-00-026

CITY/AREA OF COUNTY _____

STREET ADDRESS JORDAN STREET (813) ACRES .25

DEED RECORDED: BOOK 0151 PAGE 389 DATE 10/26/2010

PLAT RECORDED: BOOK BC PAGE 79 DATE _____ APPROVAL # _____

APPLICANT—OWNER—REPRESENTATIVE

APPLICANT DAVID WALTERS HOME PHONE _____
MAIL ADDRESS P.O. Box 467 WORK PHONE _____
CITY, STATE, ZIP FOLLY BEACH SC 29439 CELL PHONE 843-696-3909
EMAIL _____

OWNER
(IF OTHER THAN APPLICANT) HOME PHONE _____
MAIL ADDRESS _____ WORK PHONE _____
CITY, STATE, ZIP _____ CELL PHONE _____
EMAIL _____

REPRESENTATIVE
(IF OTHER THAN APPLICANT) HOME PHONE _____
MAIL ADDRESS Joseph Walters WORK PHONE _____
P.O. Box 1852 CELL PHONE 843-270-3939
CITY, STATE, ZIP Chas, SC 29402 EMAIL JMW@knology.net

CERTIFICATION

This application will be returned to the applicant within fifteen (15) business days if these items are not submitted with the application or if any are found to be inaccurate:

- Copy of Approved and Recorded Plat showing present boundaries of property
- Copy of Current Recorded Deed to the property (Owner's signature must match documentation.)
- Copy of Signed Restricted Covenants Affidavit
- Copy of Signed Posted Notice Affidavit
- Fee \$150.00 plus \$10.00 per acre (Fees vary for Planned Developments.)

I (we) certify that _____ is the authorized representative for my (our) zoning change request. I also accept the above requirements for submitting my zoning change application. To the best of my knowledge, all required information has been provided and all information is correct.

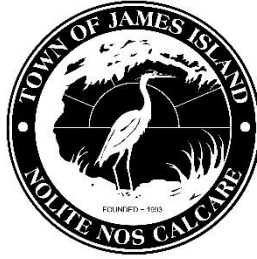
Signature of Owner(s) [Signature] Date 3/1/2018 Signature of Applicant Representative (if other than owner) [Signature] Date 3.1.18

Planner's Signature [Signature] Date _____ Zoning Inspector's Signature [Signature] Date _____

OFFICE USE ONLY

Amount Received \$160.00 Cash ? Check? # 168 Invoice Number _____

T



**ZONING/PLANNING
DEPARTMENT**

TOWN OF JAMES ISLAND PLANNING COMMISSION

April 12, 2018

Case Summary: ZOG-3-18-009

**Request to rezone from the Low-Density Suburban Residential (RSL)
Zoning District to the General Office (OG) Zoning District**

History and Overview:

813 Jordan Street, is located close to the intersection of Jordan Street and Kemper Avenue, and is adjacent to the mixed-use development at 792 Folly Road (Charleston Sports Pub, Baguette Magic, View Salon, Hurricane Boxing, Charleston Tattoo, offices). The property currently has no structures located on it. The parcel included in the current Zoning Map Amendment Request is .25 acres in size and is located in the RSL Zoning District. The parcel is currently considered a legal nonconforming lot due to its lot area and lot width of 50 feet.

The applicant, Mr. Joseph M. Walters, is seeking to rezone from the RSL Zoning District to the General Office (OG) Zoning District to enable the use of the property as a parking lot. The property will be used as a pervious parking lot for surrounding businesses and will be accessed from the rear of 792 Folly Road and from Jordan Street into the Bayfront Subdivision. .

Adjacent Zoning:

Surrounding properties to the north and east side of the subject property contain undeveloped or formally developed property in the residential zoning district in the Town of James Island, with the adjacent parcel to the north being owned by the applicant. Property to the west is also in the Town of James Island and is also owned by the applicant, and is zoned Community Commercial, while to the south is residential multi-family property in the City of Charleston, owned by the Housing Authority.

Approval Criteria:

According to Section §153.043 of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for Zoning Map Amendment (Re-zoning) approval 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: The Comprehensive Plan, Land Use Element states, "*one issue that should be addressed is the number of parcels currently in a state of legal nonconforming status that should be rezoned.*" Additionally, The Transportation Element of the Comprehensive Plan states that one of the Town's needs is to "*provide safe, convenient, pedestrian and bicycle systems in appropriate locations*" and to "*coordinate transportation strategies with growth management and land use strategies*".

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

Staff's response: The proposed amendment will support the existing uses of nearby property, and therefore may be compatible with existing uses. Within 300 feet of the subject parcel are commercial properties, offices, single-family and multi-family. Additionally, the neighboring multi-family parcel contains a parking lot adjacent to the subject 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 subject property is vacant and the applicant is seeking rezoning for a parking lot use with no water and sewer supply proposed. The Town and other service providers will be able to provide facilities and services 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

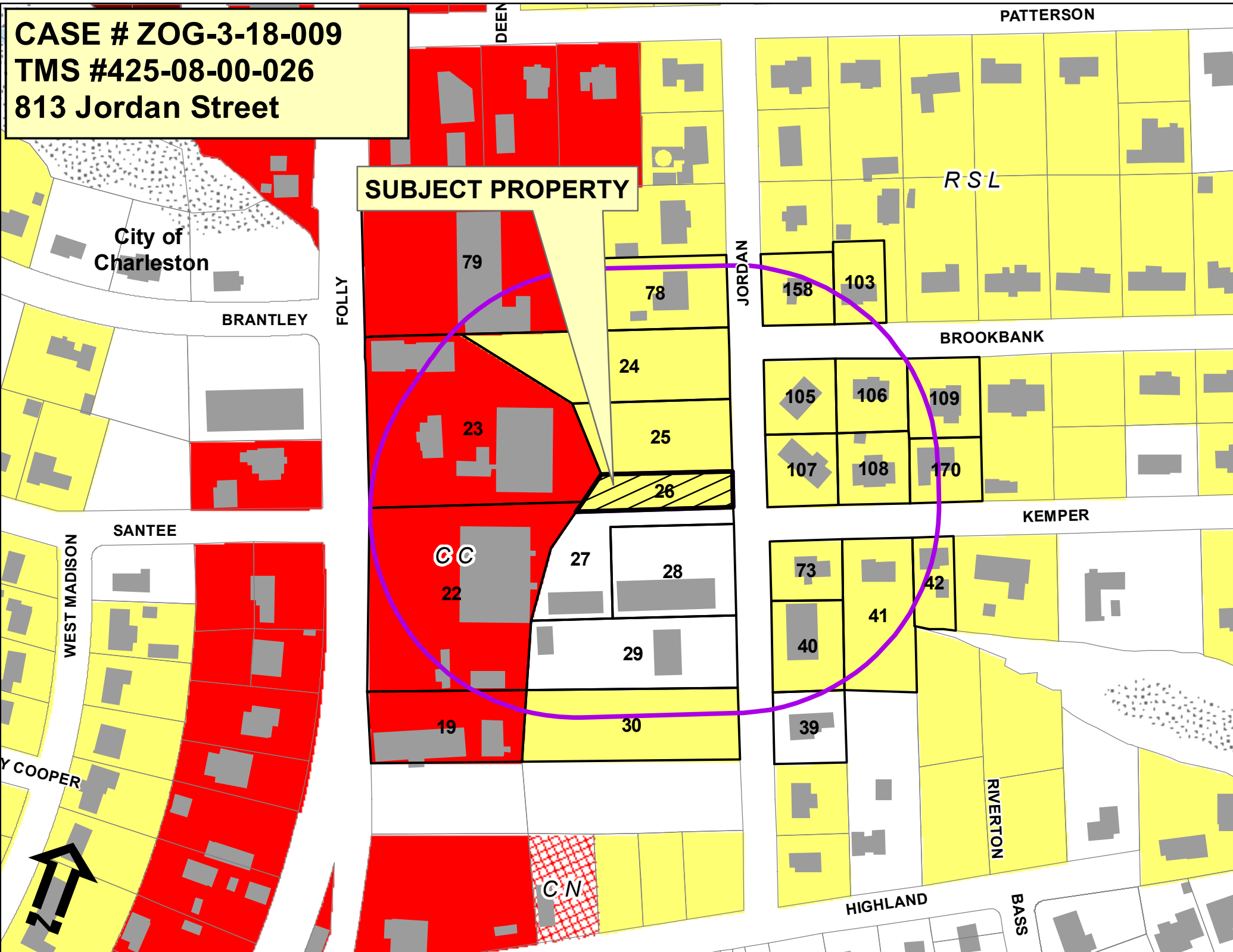
Staff's response: The applicant's letter of intent states, "It will not be paved but will have low impact gravel like the Town's public parking lot" and "Native Black Eyed Susans and other bee-friendly wildflowers (per Clemson Extension) have already been planted to enhance the character of the lot and benefit the natural environment." In addition, "the City of Charleston has already installed a fence along their adjoining property line".

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 may be suitable for the proposed zoning classification because the parcel will become a legal conforming lot due to its lot size and width, as previously mentioned. . Additionally, there will be road access from Jordan Street and Folly Road.

CASE # ZOG-3-18-009
TMS #425-08-00-026
813 Jordan Street

SUBJECT PROPERTY





David Walters
Owner 813 Jordan Street
Joseph M. Walters

Dear Town of James Island Council and Planning Commission members,

The need for additional parking for Folly Road Businesses is increasing because the Business Community on James Island continues to grow stronger.

The change in zoning request for the property located at 813 Jordan Street is so a parking lot will be a permissible use. 813 Jordan Street is smaller than the surrounding lots 53 x 229 and 64 x 191

813 Jordan Street will be improved much like the Towns Public Parking lot located on Santee Street behind the Sweetwater Café:

- It will not be paved but will have low impact gravel like the Towns Public parking lot.
- It will be maintained.

Additional improvements to 813 Jordan Street:

- Native Black Eyed Susans and other Bee Friendly wildflowers (per Clemson Extension) have already been planted to enhance the character of the lot and benefit the natural environment.

813 Jordan Street as a parking lot and an ingress egress to Folly Road is already being used by the Bayfront Neighborhood residents:

- David and I have spoken to La Hacienda employees riding their bicycles to work.
- We have spoken to families pushing strollers to dine at Baguette Magic.
- We have witnessed Golf Carts use 813 Jordan Street to access Mikes Bikes.
- We have witnessed individuals walking through 813 Jordan Street on their way to The Break.

813 Jordan Street as a parking lot and an ingress egress to Folly Road for the Bayfront neighborhood does not pose any adverse impact for the adjoining properties or the Bayfront neighborhood.

- The City of Charleston has already installed a fence along their adjoining property line.
- The other adjacent properties (Lot on Jordan Street and 792 Folly Road) are owned by David and I.

Respectfully,

David W. Walters
Joseph M. Walters

County: Municipality: Street Name or Route Number: [SCDOT Street Finder](#)
Charleston James Island 813 Jordan St Search Display push pin with GPS coordinates

Jerdone St (Local)
Jordan St (S-753)



County: Municipality: Street Name or Route Number: [SCDOT Street Finder](#)
Charleston James Island 813 Jordan St Search Display push pin with GPS coordinates

Jerdone St (Local)
Jordan St (S-753)



David Walters
813 Jordan Street
Joseph M. Walters

Reference:

ZONING MAP AMENDMENT: CASE #ZOG-3-18-009

Request to rezone property located at 813 Jordan Street from the Low-Density Suburban Residential District (RSL) to the General Office District (OG) for a parking lot

Dear Town Council and Planning Commission members,

Please allow me to offer some additional information for your consideration of the above referenced case. The New Town of James Island Parking lot located on Santee Street appears to be working as designed to offer relief to the Centerville Neighborhood residents and property owners on West Madison Street.



However, please note there are already parking issues that commercial property owners are attempting to address by following SC Code of Law (see picture below):

SECTION 16-11-760. Parking on private property without permission; removal of vehicles; lien for towing and storage; sale of vehicles; penalty for violation.

(A) It is unlawful for a person to park a vehicle, as defined in Section 56-5-5630, on the private property of another without the owner's consent. If the property is for commercial use, the owner must post a notice in a conspicuous place on the borders of the property near each entrance prohibiting parking. Proof of the posting is considered notice conclusive against the person making entry.

(B) A vehicle found parked on private property may be towed and stored at the expense of the registered owner or lienholder, and charges for towing, storing, preserving the vehicle, and expenses incurred if the owner and lienholder are notified pursuant to Section 29-15-10 constitute a lien against the vehicle, provided that the towing company makes notification to the law enforcement agency pursuant to Section 56-5-2525.

(C) If the vehicle is not claimed by the owner, lienholder, or his agent, the vehicle must be sold pursuant to Section 29-15-10 by a magistrate in the county in which the vehicle was towed or stored.

(D) A person violating the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than one hundred dollars or imprisoned for not more than thirty days. This punishment is in addition to the other remedies authorized in this section.

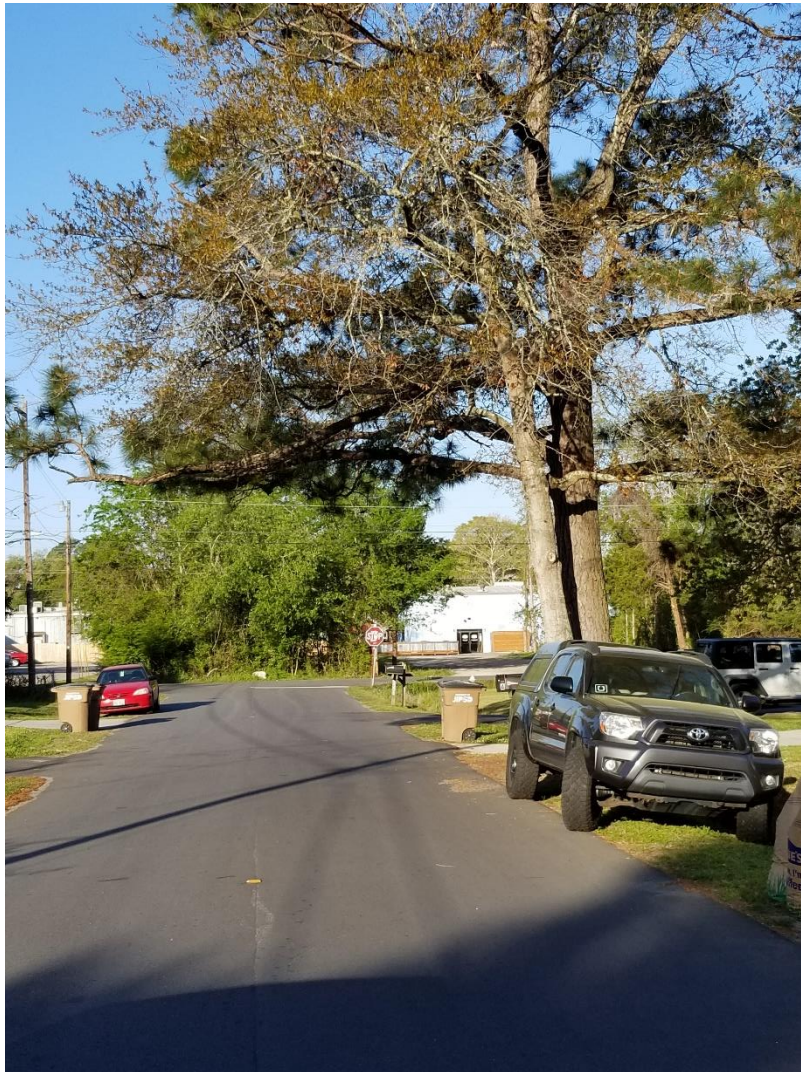
HISTORY: 1962 Code Section 46-807; 1958 (50) 1670; 1966 (54) 2075; 1987 Act No. 185 Section 1; 2003 Act No. 71, Section 2, eff June 25, 2003; 2004 Act No. 269, Section 10, eff July 6, 2004.



Below is the front of 813 Jordan Street 4/5/2018 at 8:30 AM. Please note that cars are already parking on the side of the road in the Bayfront Neighborhood.



This is the view of 813 Jordan Street from Kemper Ave. 4/5/18 at 8:30AM. Please note cars are parking on the side of the street.



I bring this to your attention as it relates to our rezoning request simply to show that the need for parking by the Bayfront Neighborhood already exceeds what the existing driveways for some of the residences can accommodate.

To compare Jordan Street to the precedent set on West Madison Street across Folly Road in Centerville may be worth considering. The installation of the speed humps and signage by the Town of James Island along with the New Town of James Island parking lot have made a huge improvement to the quality of life for the residents in Centerville.

I have spoken to Pat Smalls with SCDOT about the installation of speed humps on Jordan Street for the Bayfront Neighborhood and understand that the Town of James Island would have to conduct the traffic study to determine if Jordan Street meets the requirements.

If this study has already been conducted or is scheduled, please excuse my ignorance. That said, it would be a great improvement for the Bayfront Neighborhood to have the speed humps as well as additional safe parking and ingress egress for pedestrians, bicyclists, etc.

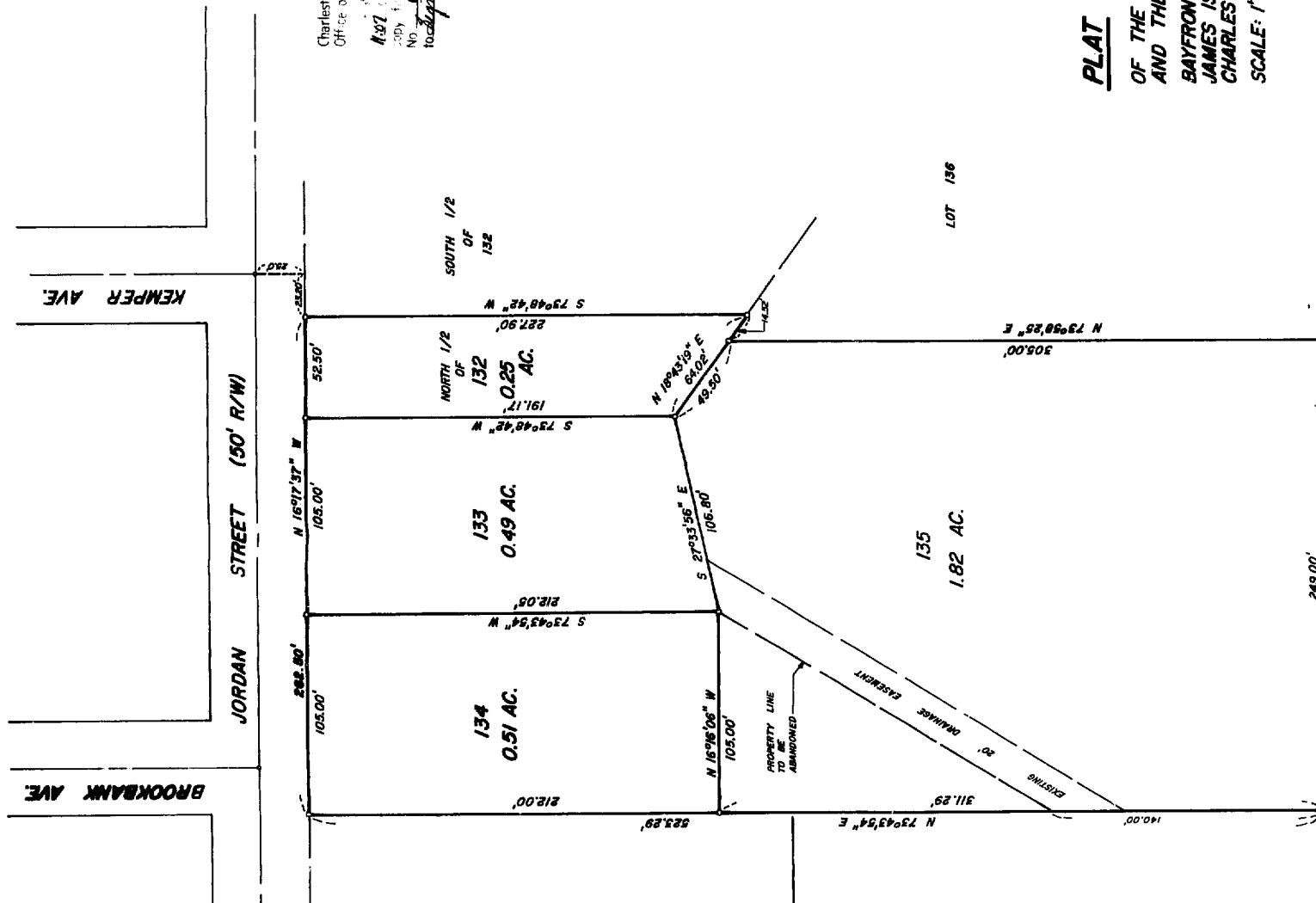
Respectfully,

Joseph M. Walters

843-270-3939

jmw@knology.net

David Walters



Charleston, South Carolina
Office of Register Meeme Conveyance

1897 Book 174 day of Dec. 1984
copy 174 Book BC Page 17 and tracing cloth
No. 174 File 23 Drawer 3 Folder 33 Drawing
to 174 Original plat (a zulu print) delivered
to Sigma Engineers, Inc.

Robert M. King
Register Meeme Conveyance

PLAT
OF THE NORTH 1/2 OF LOT 132, ALL OF LOT 133,
AND THE RESUBDIVISION OF LOTS 134 & 135.
BAYFRONT SUBDIVISION
JAMES ISLAND
CHARLESTON COUNTY, S.C.
SCALE: 1" = 50' DATE: NOV. 2, 1984



ENGINEERS/SURVEYORS CERTIFICATE

I, HAROLD J. LEARNED, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF SOUTH CAROLINA, HEREBY CERTIFY THAT THIS PLAT SHOWS ITS TRUE DIMENSIONS, THAT ALL NECESSARY MARKERS HAVE BEEN INSTALLED AND THAT THE PRECISION OF THE SURVEY IS 1/10,000

Harold J. Learned
HAROLD J. LEARNED, P.E. & L.S.
S.C. REG. NO. 4507

REFERENCE

- PLAT BY W.L. GAILLARD DATED APR. 26, 1977 PLAT BOOK AN P. 24
- PLAT RECORDED W112 - 214

TMS

425 - 08 - 023 HERMAN W. WALTERS (LOT 135)
425 - 08 - 024 MARTHA WILSON GRIMBALL (LOT 134)
425 - 08 - 025 JAMES M. PADGETT &
425 - 08 - 026 BONNIE F. PELAND (LOT 133 & LOT 132)

OWNER

NOTE

- PROPERTY CORNERS MARKED BY IRON PIPES UNLESS OTHERWISE NOTED.
- THE APPROVAL OF THIS PLAT DOES NOT OBLIGATE THE COUNTY OF CHARLESTON TO MAINTAIN ANY OF THE EASEMENTS SHOWN HEREON.

APPROVED PLAT
J.B. (20)
J.B. Franklin
DIRECTOR OF PLANNING
CHARLESTON COUNTY PLANNING BOARD
10740 12-7-84
APPL. # DATE

§ 153.093 FRC-O, FOLLY ROAD CORRIDOR OVERLAY DISTRICT.

(A) *Statement of findings.* The Folly Road Corridor Overlay Zoning District (FRC-O) fronts on the east and west sides of Folly Road from its intersection with Tatum Road south to Folly River, as shown on the map titled “Folly Road Corridor Overlay Zoning District.” Folly Road is the main thoroughfare on James Island and the only route leading to Folly Beach. As such, it carries a large number of vehicles each day. Moreover, some of the properties along Folly Road are located within the jurisdictional limits of the town, the City of Folly Beach, the City of Charleston, and unincorporated Charleston County. The FRC-O District was adopted to implement traffic safety measures, to improve the visual character of the corridor, and to create consistency between the town, the City of Folly Beach, the City of Charleston, and unincorporated Charleston County concerning land use and design standards.

(B) *Purpose and intent.* The purpose of the FRC-O, Folly Road Corridor Overlay Zoning District, is to create a corridor that is well-planned and attractive through the implementation of consistent land use and design standards with adjacent jurisdictions and utilizing traffic safety measures and access management for vehicles and pedestrians to ensure safe and efficient traffic movement.

(C) *Effect of overlay zoning district.* The FRC-O Folly Road Corridor Overlay Zoning District regulations of this section apply in addition to the underlying (base) zoning district and all other applicable regulations of this chapter to impose different development rules for properties within the overlay zoning district. In case of conflict between the regulations of this section and other regulations in this chapter, the regulations of this section shall control. These district regulations are intended to be consistent with similar regulations adopted by the county and the City of Charleston. Legally established existing development that does not meet the requirements as described in this section shall be considered legal nonconforming and shall be subject to the legal nonconforming requirements of this chapter.

(D) *Applicability.* The standards of this section shall apply to all development within the FRC-O District, as shown on the maps titled “Folly Road Corridor Overlay Zoning District,” “North Village Area,” “Commercial Core Area,” “South Village Area,” “Neighborhood Preservation Area,” and “Conservation Area,” except single-family residential development.

(E) *Coordination with adjacent jurisdictions.* A letter of coordination from the town, the county, City of Charleston, and City of Folly Beach (dependent upon jurisdiction) shall be required as part of all land development applications with the exception of applications for single-family detached residential uses. The purpose of the letter of coordination is to ensure that each jurisdiction is aware of proposed development and that there is consistency in land use, density/intensity and dimensional standards, and design and development standards adopted by the jurisdictions. Coordination with applicable town, city, or county: Council, Planning Commission, staff, Design Review Board, or other review, recommendation, or decision-making bodies may be required.

*All Changes are highlighted

*Proposed additions are indicated by ***bold, underlined, italicized*** font

*Proposed redactions are indicated by ~~strike through~~

(F) *Development standards and requirements (all areas)*. The following development standards and requirements apply to all parcels within the Folly Road Corridor Overlay District in addition to the requirements described in each of the five areas. All non-single-family detached development applications shall, at the time application is made, provide proof that the following requirements will be met:

(1) *Vehicle access*.

(a) All parcels in this overlay with a future land use designation of OR (Office Residential) are allowed one curb cut per 150 feet of road frontage; all other commercial uses are allowed one curb cut every 250 feet. Single-family detached residentially zoned parcels and parcels containing single-family detached residential uses shall be exempt from this requirement.

(b) The minimum distance from a street intersection for new residential or commercial use access is 75 feet measured from the edge of the intersecting roadway to the beginning of the driveway radius. These minimum spacing requirements will be increased if a right-turn deceleration lane is required and shall equal the length of the turn lane and taper plus an additional distance of 50 feet.

(c) As a condition of nonresidential use zoning/rezoning, a suitable access management plan must be submitted demonstrating that the driveway separation requirements can be met. The following techniques may be employed to achieve this result, but the burden of accomplishing the desired effect remains with the developer of the property:

1. Aggregation of parcels;
2. Parallel frontage or “backage” roads;
3. Shared curb cuts between adjoining properties; and
4. Shared access easements between parcels.

(2) *Traffic study*. A traffic impact analysis shall be required in all instances in which the proposed developmental area exceeds five acres or 100 peak hour vehicle trips. Such traffic impact analysis shall be prepared by an independent planning or engineering firm and shall be provided to the municipality or jurisdiction for review simultaneous with submission of the preliminary site plan for consideration.

(3) *Pedestrian access*. Bike and pedestrian ways shall be included in site design and shall provide a continual link access to adjacent parcels, as well as within the development area. Grade-separated pedestrian walkways must provide a direct connection from the street to the main entrance, and to abutting properties. Pedestrian walkways must be designed and located in a manner that does not require pedestrians to walk through parking lots or cross driveways and sidewalks may be allowed in right-of-way buffers.

(4) *Building height*. Maximum 35-foot height, excluding previously approved planned developments.

*All Changes are highlighted

*Proposed additions are indicated by ***bold, underlined, italicized*** font

*Proposed redactions are indicated by ~~strike through~~

(5) *Signs*. In addition to the requirements in § [153.341](#), all free-standing signs shall meet the following requirements:

- (a) Reserved;
- (b) Maximum six-foot height and 40 square feet in the North/South Village, Neighborhood Preservation, and Conservation Areas;
- (c) Maximum eight-foot height and 50 square feet in the Commercial Core Area;
- (d) Shared shopping center signs shall be allowed with a maximum ten-foot height and 100 square feet;
- (e) Internal illumination shall be allowed for all areas except the Neighborhood Preservation and Conservation Areas which shall utilize external illumination;
- (f) Electronic message board signs shall be prohibited; and
- (g) All legal nonconforming signs located in the Folly Road Corridor Overlay Zoning District shall remain legal nonconforming until removed or replaced.

(6) Rethink Folly Road Standards

The following development standards and requirements apply to all parcels within the Folly Road Corridor Overlay District in addition to the requirements described in each of the five Areas. All non-single family detached development applications shall, at the time application is made, provide proof that the following requirements will be met:

- 1. A separated 12-foot multi-use path along the frontage of the parcel shall be installed. ROW buffers can be reduced to accommodate the path if space is limited. The Zoning Administrator shall be authorized to reduce the width of the required multi-use path if conditions exist that would render the required width unfeasible.**

*All Changes are highlighted

*Proposed additions are indicated by **bold, underlined, italicized** font

*Proposed redactions are indicated by ~~striketrough~~