



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

MEETING AGENDA

June 8, 2017

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 MAY 11, 2017 MINUTES
- VI. PUBLIC COMMENTS
- VII. STAFF COMMENTS
- VIII. DISCUSSION AND VOTE OF PROPOSED AMENDMENTS TO THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) INCLUDING:
 - Recommendation to add a new section on a temporary moratorium on accepting and processing zoning permits for residential development greater than four units per acre and other development greater than 1500 square feet in nonresidential zoning districts (Ordinance # 2017-08)
- IX. CHAIR'S COMMENTS
- X. COMMISSIONERS COMMENTS
- XI. NEXT MEETING DATE: JULY 13, 2017
- XII. ADJOURN

The Planning Commission met in Council Chambers of the Town of James Island, 1238-B Camp Road, James Island, SC on Thursday, May 11, 2017 at 6:00 p.m. Commissioners present: Lyndy Palmer, Zennie Quinn, Bill Lyon, Ed Steers, and Chairman, David Bevon, who presided.

Also present: Planning Director, Kristen Crane, Town Administrator, Ashley Kellahan, Councilman Leonard Blank, and Town Clerk and Secretary to the Planning Commission, Frances Simmons.

Call to Order: Chairman Bevon called the meeting to order at 6:00 p.m.

Prayer and Pledge: Chairman Bevon led 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 February 9, 2017 Meeting Minutes: Chairman Bevon moved for approval of the February 9, 2017 meeting minutes; Commissioner Palmer seconded. Passed unanimously. No meetings were held in March or April.

Public Comments: None

Staff Comments: None

Discussion and Vote of Proposed Amendments to the Town of James Island Zoning and Land Development Regulations Ordinance (ZLDR) including a recommendation to add setbacks for accessory structures in General Office (OG) and Commercial (CN, CC) Zoning Districts: Planning Director, Kristen Crane, gave an overview of the proposed amendment, §153.208 for accessory structures in General Office/Commercial Districts. She pointed out that: if in a Zoning District that abuts a residential district, the accessory structure shall be located at least 10 feet from the abutting interior lot line of the residential district; when in a Zoning District that abuts another OG, CN, CC, or I District, setbacks for accessory structures are not required. A copy of proposed addition is attached.

A motion to approve the staff recommendation was made by Commissioner Lyon, seconded by Commissioner Steers. Commissioner Quinn asked if there were any grey areas with the proposed amendment. Mrs. Crane answered no; that previously accessory structures in commercial zones did not require setbacks. All Commissioners agreed that this is a good amendment to add to the ZLDR. Motion passed unanimously. Town Council will hold a public hearing and first reading on the amendment at its June 15, 2017 meeting. The second reading will be scheduled for the July 13 meeting.

Chair's Comments: Chairman Bevon welcomed Commissioner Steers who is serving as the Interim Athletic Director at Presbyterian College.

Commissioners' Comments: Commissioner Palmer expressed "yay" for the moratorium.

Next Meeting: The next meeting of the Planning Commission will be held June 8, 2017 at 6:00 p.m.

Adjourn: There being no further business to come before the Planning Commission, the meeting adjourned at 6:06 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk and Secretary to the Planning Commission

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Ratification Number

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO ARTICLE 9 THEREOF A NEW PART 7 PROVIDING FOR A TEMPORARY MORATORIUM ON THE ACCEPTANCE OR PROCESSING OF DEVELOPMENT APPLICATIONS PERTAINING TO PROPERTIES LOCATED IN NON-RESIDENTIALLY ZONED DISTRICTS ON JAMES ISLAND THAT EXCEED 4 UNITS OR 1500 SQUARE FEET.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Article 9 thereof a new Part 7 providing for a temporary moratorium on the acceptance or processing of development applications pertaining to properties located in non-residentially zoned districts on James Island that exceed 4 units or 15000 square feet, which Part 7 shall read as follows:

“Part 7: Temporary Moratorium

Sec. 54-980 Findings.

City Council makes the following findings of fact:

While the various areas that make up the City share common needs and goals, each area has its own identity and unique pattern of development. The James Island area of the City is generally residential. It is important that the citizens of this area of the City have access to business and retail opportunities that serve their commercial and recreational interests, without an extended commute off the Island. In recent times, more and more properties on James Island that are zoned for business and commercial use have developed or approved for development in a manner that does not further or relate to retail, business or commerce. In an effort to preserve a balance of uses on the Island and to see that the commercial needs of its citizens are met, on the Island, City Council deems it in the interests of the public, and in furtherance of the health, safety and welfare of the citizens of James Island and the City as a whole, that the uses in the non-residential zoning districts on James Island be studied and amended if necessary so that the identity

of the Island will be maintained, the uses on the Island will be balanced and the citizens of the Island have access to meaningful commercial and retail facilities. The study should address all non-residential zoning districts on James Island as they relate to uses, density of development, height and dimensional requirements as they relate to the identity of the Island as a whole. As this study is underway, City Council deems it appropriate to essentially maintain the status quo with respect to properties on the Island that are located in non-residential zoning districts so that the study can proceed in an orderly, fair and meaningful manner.

City Council deems it necessary and proper, in order to sustain the peace, good order, livability and quality of life on James Island to suspend that acceptance or processing of development applications for projects greater than 4 units or in excess of 1500 square feet for properties on James Island located in non-residential zoning districts for a discreet period of time as a study in undertaken, and in furtherance of the powers of home rule devolved upon it by S. C. Code Ann. §57- 10 *et seq* and the land use, planning and zoning authority devolved upon it by S. C .Code Ann. § 6-29-310 *et seq* (South Carolina Local Government Comprehensive Planning Act), deems it necessary and proper to enact a temporary moratorium on the acceptance or processing of development applications pertaining to properties located on James Island in non-residential zoning districts that exceed 4 units or 1500 square feet for a period of 180 days.

Sec. 54-981. Temporary Moratorium.

A temporary moratorium for a period of 180 days from the date of first reading of this Ordinance is hereby imposed on the acceptance and processing of development applications pertaining to properties located on James Island in non-residential zoning districts that exceed 4 units or 1500 square feet.

Sec. 54-982. Purpose.

The purpose of the temporary moratorium is to allow the Department of Planning, Preservation and Sustainability, in consultation with other City departments, affected property owners and residents and the business and development community, a discreet period of time to study the provisions of the non-residential zoning districts in the James Island area of the City to assure that those provisions appropriately maintain a balance of uses on the Island, meet the commercial needs of those living on the Island and protect the quality of life of those living and working on the Island, and to make such recommendations to Council as may be necessary to achieve these ends.

Sec. 54-983. Exceptions.

Excepted from the provisions of Sec. 54-981 are development projects that have received a first review by the Technical Review Committee, conceptual approval from the Design Review

Board or an approved site specific development plan as defined by Sec. 54- 961.

Sec. 54-984. Expiration.

The provisions of this Part 7 shall expire 180 days from the date of first reading of this Ordinance.”

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____day of
_____ in the Year of Our Lord, 2017,
and in the _____ st Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST:

Vanessa Turner Maybank,
Clerk of Council

A RESOLUTION FROM THE JAMES ISLAND INTERGOVERNMENTAL COUNCIL REGARDING DEVELOPMENT ON JAMES ISLAND

Whereas; James Island has its own identity and unique pattern of development; and

Whereas; James Island is generally residential and it is important that its residents have access to business and retail opportunities that serve their commercial and recreational interests; and

Whereas; the James Island Intergovernmental Council deems it in the interest of the public and the furtherance of the health, safety, and welfare of the residents of James Island that uses in the nonresidential zoning districts of our local government jurisdictions be studied and amended if necessary; and

Whereas; it is appropriate to maintain the status quo during a limited period to allow the study to proceed in an orderly, fair, and meaningful manner; and

Whereas; it is the judgement of the James Island intergovernmental Council that the zoning ordinances of the local government jurisdictions on James Island be broadly consistent and compatible;

Therefore; the James Island Intergovernmental Council hereby recommends:

- A) That Charleston County, the City of Charleston, the Town of James Island and the City of Folly Beach impose a 180-day moratorium on new zoning permits in nonresidential zoning districts for more than four units or 1500 square feet.
- B) That Charleston County, the City of Charleston, the Town of James Island and the City of Folly Beach create a joint James Island Planning Committee with the goal of developing a James Island overlay to be recommended to the Planning Commissions of the four jurisdictions.
- C) That the joint James Island Planning Committee develop a comprehensive plan for James Island to be recommended to the Planning Commissions of the four jurisdictions with the goal of incorporating the plan into the comprehensive planning processes of the four jurisdictions. The comprehensive plan will include consideration of the following:
 - a. Affordable Housing
 - b. Urban Growth Boundary
 - c. Joint Design Review Board
 - d. Drainage Improvements
 - e. Folly Road Overlay
- D) That the four local government jurisdictions have representatives from their planning department work together to recommend a specific structure for the proposed committee to be approved by those four governing bodies.

This Resolution shall become effective upon its adoption and approval.

Adopted this 15th day of May, 2017.

Town Councilman Leonard Blank, Chair
Town of James Island Mayor Bill Woolsey
City of Charleston Mayor John Tecklenburg
City Councilwoman Kathleen Wilson
City Councilman Dudley Gregorie
Town Councilman Joshua Stokes
Town Councilman Garrett Milliken
Town Councilman Troy Mullinax
County Councilman Joe Qualey
Senator Chip Campsen
JIPSD Commissioner Inez Brown-Crouch
JIPSD Commissioner Kathy Woolsey
JIPSD Commissioner Eugene Platt
JIPSD Commissioner Kay Kernodle
JIPSD Commissioner Sandi Engleman

Members Voting in Favor

Town of James Island

Bill Woolsey
Mayor



Council Members

Leonard Blank
Garrett Milliken
Darren Troy Mullinax
Joshua Stokes

May 18, 2017

As Chairman of the James Island Intergovernmental Council and on behalf of all James Island residents, I would like to thank those of you who were able to attend our last meeting and participate in our effort to reduce development on our Island.

Realizing that the 6-month clock will start ticking as soon as the various Councils pass this moratorium, time is of the essence. Everyone felt the best way to move forward is to form a committee comprising members from each governing body. This committee would study and recommend the best approach to reduce density on James Island.

I am asking that you or your staff appoint one or more members of your staff to participate on this committee. As soon as the moratorium is passed, it would be helpful if you will have someone notify the Town of James Island as to the name of the individual or individuals and their contact information. We would like to get the first meeting scheduled as soon as possible.

Contact information: Kristen Crane, Planning Director, at (843) 795-4141 or kcrane@jamesislandsc.us

Respectively,

Leonard Blank, Chairman
843-532-6705

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1238-B Camp Road
James Island, SC 29422

Kristen Crane
Planning Director

Town of James Island Mayor and Town Council:

This recommendation is referencing Resolution #2017-08, adopted unanimously on May 18, 2017. The Resolution states that the James Island Town Council "instructs the Town's Planning Director to determine what if any moratorium is appropriate given the Town's Zoning Ordinance." Below is my determination.

In keeping with the ongoing cooperation with the other government jurisdictions on James Island, I believe the Town should pass a moratorium on development that is similar to the City of Charleston's recent Ordinance that has passed First Reading. Certain adjustments (see below) should be made given the Town's current zoning ordinances that already restrict high-density development.

1. The time frame of the moratorium should be adjusted so that it falls in line with the City of Charleston's moratorium length.
2. The temporary moratorium shall be imposed on accepting and processing of development applications on all residential development in non-residential zoning districts that exceed four units per acre. The Town of James Island Zoning and Land Development Regulations (ZLDR) Ordinance already restricts residential development in non-residential zoning districts to four units per acre (see §153.065), therefore this provision would impact new applications for Planned Developments over four units per acre only.
3. The temporary moratorium shall be imposed on accepting and processing of development applications on all development with floor areas greater than 1500 square feet in nonresidential zoning districts.
4. Exceptions from the provisions of the moratorium would be granted for applications for redevelopment that are consistent with development standards set forth in the Folly Road Corridor Overlay Zoning District (adopted November 22, 2013) and for applications and development plans that have been through pre-application procedures with the Planning Director.

AN ORDINANCE AMENDING THE TOWN OF JAMES ISLAND ZONING AND LAND DEVELOPMENT REGULATIONS BY ADDING A NEW SECTION ON A TEMPORARY MORATORIUM ON ACCEPTING AND PROCESSING ZONING PERMITS UNTIL NOVEMBER 5, 2017 ON RESIDENTIAL DEVELOPMENT GREATER THAN FOUR UNITS PER ACRE AND OTHER DEVELOPMENT GREATER THAN 1500 SQUARE FEET IN NONRESIDENTIAL ZONES EXCEPT FOR REDEVELOPMENT OF AN ALREADY IMPROVED PARCEL CONSISTENT WITH THE FOLLY ROAD OVERLAY DISTRICT

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; James Island has been subject to severe development pressure, adversely impacting the safety, health and welfare of all James Islanders, including the residents of the Town; and

WHEREAS; the zoning regulations in several of the government jurisdictions on James Island allow for high density residential development in nonresidential zones; and

WHEREAS; the Town of James Island's zoning ordinance currently limits residential density in commercial zones to four units per acre;

WHEREAS; the Town of James Island adopted the Folly Road Overlay on November 22, 2013 along with Charleston County and the City of Folly Beach in an effort coordinate development and redevelopment with other jurisdictions on James Island, and any redevelopment along the Folly Road Corridor in the Town of James Island would have to conform to the standards of the Folly Road Overlay Zoning District;

WHEREAS, the James Island Town Council seeks to cooperate with the other government jurisdictions on James Island on planning and zoning matters;

1. Temporary Moratorium.

A temporary moratorium from the date of first reading of this Ordinance for properties in the Town of James Island is hereby imposed on the acceptance and processing of development applications pertaining to properties located within the Town of James Island in non-residential zoning districts that exceed 4 units or 1500 square feet, except for redevelopment on an already improved parcel consistent with the Folly Road Overlay District.

2. Purpose.

The purpose of the temporary moratorium is to allow the Planning Department in consultation with the City of Charleston, Charleston County and the City of Folly Beach, along with the affected property owners and residents and the business and development community, a discreet period of time to study the provisions of the non-residential zoning districts in the James Island area to assure that those provisions appropriately maintain a balance of uses on the Island, meet the commercial needs of those living on the Island and protect the quality of life of those living and working on the Island, and to make such recommendations to Council as may be necessary to achieve these ends.

3. Exceptions.

Exempted from the provisions are development projects that have received first review during the pre-application process.

4. Expiration.

The provisions of this section shall expire on November 5, 2017.

This Ordinance shall become effective upon ratification.