PLANNING COMMISSION
April 20, 2022
Regular Meeting at 5:00 PM

DEPARTMENT OF PLANNING, PRESERVATION & SUSTAINABILITY
www.charleston-sc.gov/dcpc

This meeting is being recorded and livestreamed on YouTube.
All items heard today are part of a **public meeting format**.

Written comments submitted by the deadline have been provided to Commissioners 24 hours in advance of the meeting and will be acknowledged into the record and summarized.

All **zoning, rezoning and ordinance amendment requests** will receive a recommendation from the Planning Commission and will then go to City Council for a second public hearing. Meeting results will be posted on the City’s website at [www.charleston-sc.gov/pc](http://www.charleston-sc.gov/pc).

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### Your City of Charleston Planning Commission Members are:

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles Karesh</td>
<td>Chair</td>
</tr>
<tr>
<td>Harry Lesesne</td>
<td>Vice-Chair</td>
</tr>
<tr>
<td>Jimmy Bailey, Jr.</td>
<td></td>
</tr>
<tr>
<td>Loquita Bryant-Jenkins</td>
<td></td>
</tr>
<tr>
<td>Erika V. Harrison</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donna Jacobs</td>
<td></td>
</tr>
<tr>
<td>Angie Johnson</td>
<td></td>
</tr>
<tr>
<td>McKenna Joyce</td>
<td></td>
</tr>
<tr>
<td>Sunday Lempesis</td>
<td></td>
</tr>
</tbody>
</table>

### Your City of Charleston Assisting Staff are:

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Morgan</td>
<td>Planning Manager</td>
</tr>
<tr>
<td>Ana Harp</td>
<td>Senior Zoning Planner</td>
</tr>
<tr>
<td>Lee Batchelder</td>
<td>Zoning Administrator</td>
</tr>
<tr>
<td>Chloe Stuber</td>
<td>Senior Planner</td>
</tr>
<tr>
<td>Philip Overcash</td>
<td>Senior Planner</td>
</tr>
<tr>
<td>Philip Clapper</td>
<td>Clerk</td>
</tr>
</tbody>
</table>

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REZONING 1

3, 5, 7 and 9 Cunnington Ave (Magnolia Cemetery – Peninsula) TMS # 4641400119 and 139 – approx. 1.16 acres.

Request rezoning from Light Industrial (LI) to Upper Peninsula (UP) and from the 2.5 Story Old City Height District to the 4-12 Story Old City Height District.

Owner: City of Charleston
Applicant: Same as owner

Area

City of Charleston Zoning Map
Planning Commission
April 20, 2022

Department of Planning, Preservation & Sustainability
www.charleston-sc.gov
2 George St, Charleston, SC 29401
843.724.3765
City Plan Future Land Use Recommendation

REZONING 1: 3, 5, 7 & 9 Cunnington Ave

JOB CENTER

The Job Center areas primarily contain light manufacturing, warehousing, office, and some commercial uses that cannot conform to traditional urban block patterns. These areas serve as incubators for small and entrepreneurial businesses. Residential are very limited in order to help reserve these areas for business expansion and job generation. Examples include: areas along Clements Ferry Road, around the Dupont-Wappoo area, the Fort Johnson research area, and around the Charleston Executive Airport on Johns Island.
The study area is roughly bounded by Huger Street to the south, I-20 to the west, Milford Street to the North and Morrison Drive and Laurel Island to the east.

After thorough study, we do not make any design recommendations in this report regarding Laurel Island due to the unique nature of this property.

**Density Levels**

This is a key recommendation. We propose that the small parcels near Meeting Street and the existing low-density housing remain at low and medium density, shown here in pink and yellow. Areas around Morrison Drive, near highway ramps, and on former industrial sites are recommended for high density.
AERIAL

REZONING 1

3, 5, 7 and 9 Cunnington Ave (PENINSULA)
NEIGHBORING COMMERCIAL PROPERTY TO THE WEST
## ZONING COMPARISON TABLE

<table>
<thead>
<tr>
<th>Light Industrial (LI)</th>
<th>Upper Peninsula (UP)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intent</strong></td>
<td>The LI district is intended to permit most commercial uses and low impact industrial uses which are compatible with surrounding commercial districts. More intensive industrial and manufacturing uses are permitted as conditional uses if the uses satisfy specific performance standards. Storage yards are permitted only as special exceptions subject to the approval of the Board of Zoning Appeals.</td>
</tr>
<tr>
<td><strong>Density</strong></td>
<td>The UP District is intended to accommodate a mixture of dense residential and commercial and uses and taller buildings in the upper portion of the peninsula through the use of incentives designed to promote ecology, mobility, energy efficiency, diverse housing and privately maintained outdoor spaces accessible to the public.</td>
</tr>
<tr>
<td>19.4 units/acre (multi-family)</td>
<td>26.4 units/acre if 4 stories or less</td>
</tr>
<tr>
<td>14.5 units/acre (two-family)</td>
<td>No density cap if 5 stories or higher (points required to earn additional stories)</td>
</tr>
<tr>
<td>10.9 units/acre (single-family)</td>
<td></td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>CLICK HERE FOR MORE INFORMATION ABOUT THE UPPER PENINSULA DISTRICT</td>
</tr>
</tbody>
</table>

CLICK HERE TO VIEW TABLE OF PERMITTED USES FOR ALL ZONING DISTRICTS.
REZONING 2

24 N Market St (Downtown – Peninsula)
TMS # 4580504023, 031 and 029
approx. 0.67 acre.

Request rezoning from 3 Story and WP Old City Height District to 4 Story Old City Height District.

Owner: Carroll Building, LLC
Applicant: K&L Gates LLP

Location

Area

Department of Planning, Preservation & Sustainability
www.charleston-sc.gov
2 George St, Charleston, SC 29401
843.724.3765
City Plan Future Land Use Recommendation

REZONING 2: 24 N Market St

CITY CENTERS

City Centers consist of the most dense and mixed-use portions of the city. The tallest buildings would occur here along with the most buildings of regional significance. Blocks may be smaller, streets have steady street tree planting, and buildings are set close to wide sidewalks. These areas occur on the highest ground elevations in the city allowing for best opportunities for new or infill development. Densities range from 10 dwelling units per acre and up. Development in City Centers is dependent on the surrounding context. Examples: The Central Business District of Charleston (portions of King, Calhoun, Meeting and East Bay Streets) and Daniel Island Town Center.
AERIAL
REZONING 2
24 N Market St
(PENINSULA)
REZONING 3

77 and 75 Washington St (Ports Area - Peninsula) TMS # 4591302004 and 005 – approx. 0.35 acre.

Request rezoning from General Business (GB) to Mixed-Use/Workforce Housing (MU-2/WH).

Owner: Washington Partners LLC
Applicant: JHH Inv. Inc.
CITY PLAN FUTURE LAND USE RECOMMENDATION

REZONING 3: 77 & 75 Washington St

CITY CENTERS

City Centers consist of the most dense and mixed-use portions of the city. The tallest buildings would occur here along with the most buildings of regional significance. Blocks may be smaller, streets have steady street tree planting, and buildings are set close to wide sidewalks. These areas occur on the highest ground elevations in the city allowing for best opportunities for new or infill development. Densities range from 10 dwelling units per acre and up. Development in City Centers is dependent on the surrounding context. Examples: The Central Business District of Charleston (portions of King, Calhoun, Meeting and East Bay Streets) and Daniel Island Town Center.
## ZONING COMPARISON TABLE

<table>
<thead>
<tr>
<th>Intent</th>
<th>General Business (GB)</th>
<th>Mixed-Use/Workforce Housing (MU-2/WH)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, and storage yards (except for vehicles and boats). Mini-warehouse/self-storage uses may be permitted as special exception uses subject to the approval of the Board of Zoning Appeals. Automotive repair shops, communication towers, gas stations, short term lenders, veterinary clinics, and stables may be permitted as conditional uses.</td>
<td>The MU/WH districts are incentive based and are intended to permit high density residential uses with a mixture of housing opportunities, along with limited neighborhood nonresidential uses and services in urban areas of the city. The MU-1/WH and MU-2/WH districts are only available to property owners who apply for the district designation.</td>
</tr>
<tr>
<td>Density</td>
<td>26.4 units/acre (multi-family)</td>
<td>No density cap</td>
</tr>
<tr>
<td></td>
<td>21.8 units/acre (two-family)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>17.4 units/acre (single-family)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>Every development in the MU-1/WH or MU-2/WH zoning district that has five (5) or more residential units must include owner occupied workforce housing units and/or rental workforce housing units. Every development in the MU-1/WH or MU-2/WH zoning district that has less than five (5) units must include at least one (1) owner occupied or rental workforce housing unit or nonresidential use(s) that face the street on the ground level in accordance with the provisions of subsection b; or pay a fee-in-lieu; or donate land by discretion of City Council. Parking and loading: one (1) space per two units for workforce and one (1) space per unit for market-rate. Frontage not required for new lots.</td>
<td></td>
</tr>
</tbody>
</table>

[CLICK HERE TO VIEW TABLE OF PERMITTED USES FOR ALL ZONING DISTRICTS.](#)
REZONING 4

8 Charlotte St (Ports Area - Peninsula) TMS # 4591302009 approx. 0.22 acre.

Request rezoning from General Business (GB) to Mixed-Used/Workforce Housing (MU-2/WH).

Owner: Historic Charleston Developments LLC
Applicant: JHH Inv. Inc.

MU-2/WH (as of 4/12/22)
CITY CENTERS

City Centers consist of the most dense and mixed-use portions of the city. The tallest buildings would occur here along with the most buildings of regional significance. Blocks may be smaller, streets have steady street tree planting, and buildings are set close to wide sidewalks. These areas occur on the highest ground elevations in the city allowing for best opportunities for new or infill development. Densities range from 10 dwelling units per acre and up. Development in City Centers is dependent on the surrounding context. Examples: The Central Business District of Charleston (portions of King, Calhoun, Meeting and East Bay Streets) and Daniel Island Town Center.
STREET VIEW (FROM EAST BAY ST): SUBJECT PROPERTY TO THE RIGHT
STREET VIEW (CHARLOTTE ST) SUBJECT PROPERTY TO THE RIGHT
**ZONING COMPARISON TABLE**

<table>
<thead>
<tr>
<th>Intent</th>
<th>General Business (GB)</th>
<th>Mixed-Use/Workforce Housing (MU-2/WH)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, and storage yards (except for vehicles and boats). Mini-warehouse/self-storage uses may be permitted as special exception uses subject to the approval of the Board of Zoning Appeals. Automotive repair shops, communication towers, gas stations, short term lenders, veterinary clinics, and stables may be permitted as conditional uses.</td>
<td>The MU/WH districts are incentive based and are intended to permit high density residential uses with a mixture of housing opportunities, along with limited neighborhood nonresidential uses and services in urban areas of the city. The MU-1/WH and MU-2/WH districts are only available to property owners who apply for the district designation.</td>
<td></td>
</tr>
</tbody>
</table>
| Density                                                                | **26.4 units/acre (multi-family)**  
21.8 units/acre (two-family)  
17.4 units/acre (single-family) | No density cap                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                             |
| Other                                                                  |                                                                                                                                                                                                                                                                                                                                                          | Every development in the MU-1/WH or MU-2/WH zoning district that has five (5) or more residential units must include owner occupied workforce housing units and/or rental workforce housing units. Every development in the MU-1/WH or MU-2/WH zoning district that has less than five (5) units must include at least one (1) owner occupied or rental workforce housing unit or nonresidential use(s) that face the street on the ground level in accordance with the provisions of subsection b; or pay a fee-in-lieu; or donate land by discretion of City Council. Parking and loading: one (1) space per two units for workforce and one (1) space per unit for market-rate. Frontage not required for new lots. |
REZONING 5

2003 Herbert St (Four Mile/Hibernian Heights - Peninsula) TMS # 4640200046 approx. 0.26 acre.

Request rezoning from General Business (GB) to Business Park (BP).

Owner: 2003 Herbert LLC
Applicant: AJ Architects
The Industrial areas primarily include more intensive manufacturing, warehousing and distribution uses involving heavy truck traffic and potential emissions not found with lighter manufacturing operations. Residential uses are not typically allowed in an effort to preserve these areas for job generation and reduce conflicts from industrial traffic, emissions, and noise. Examples include: the eastern side of the Charleston Neck area and the Columbus Street Terminal.
AERIAL
REZONING 5
2003 Herbert St (PENINSULA)
## ZONING COMPARISON TABLE

<table>
<thead>
<tr>
<th>General Business (GB)</th>
<th>Business Park (BP)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intent</strong></td>
<td>The BP district is intended to accommodate service type commercial, wholesale, storage, and light manufacturing uses with relatively limited external effects in a high quality environment. Uses which fit into this category are characterized by being low traffic generators, having no external environmental effects across property lines, and having all outdoor storage screened from adjoining rights-of-ways and properties by a minimum six-foot tall solid fence or wall and landscape buffer, if required. Automotive repair shops and veterinary clinics are permitted only as special exceptions subject to the approval of the Board of Zoning Appeals.</td>
</tr>
<tr>
<td></td>
<td>The GB district is intended to provide for a broad range of commercial uses and activities. It is the most intensive commercial zoning district. Prohibited uses include junk and salvage yards, and storage yards (except for vehicles and boats). Mini-warehouse/self-storage uses may be permitted as special exception uses subject to the approval of the Board of Zoning Appeals. Automotive repair shops, communication towers, gas stations, short term lenders, veterinary clinics, and stables may be permitted as conditional uses.</td>
</tr>
<tr>
<td><strong>Density</strong></td>
<td>No residential uses.</td>
</tr>
<tr>
<td>26.4 units/acre (multi-family)</td>
<td></td>
</tr>
<tr>
<td>21.8 units/acre (two-family)</td>
<td></td>
</tr>
<tr>
<td>17.4 units/acre (single-family)</td>
<td></td>
</tr>
</tbody>
</table>

[CLICK HERE TO VIEW TABLE OF PERMITTED USES FOR ALL ZONING DISTRICTS.]
REZONING 6

property on Clements Ferry Rd (Jack Primus - Cainhoy Peninsula) a portion of TMS # 2680000133 approx. 105.11 acre.

Request rezoning from Light Industrial (LI) to Single-Family Residential (SR-2).

Owner: McAlister Togant Clements LLC et al
Applicant: Synchronicity LLC
property on Clements Ferry Rd (Suburban & Natural/Wetland)
City Plan Future Land Use Recommendation

REZONING 6: property on Clements Ferry Rd

The subject property is primarily designated as **Suburban**, with portions identified as **Natural/Wetland**.

**SUBURBAN**

Low intensity, suburban-style areas, adjacent to higher-intensity areas that include a mix of uses. Limited mixed-use occurs at key cross roads. Densities range from four to eight dwelling units per acre (4 du/a to 8 du/a). Examples include: Wagener Terrace, Riverland Terrace, Avondale, and St. Johns Woods neighborhoods.

**NATURAL/WETLAND**

Marsh, wetlands, small water bodies or other lands that cannot be developed due to their geography or topography.
AERIAL
REZONING 6
property on Clements Ferry Rd
(CAINHOY PENINSULA)
PROPOSED NEW PLAT
## ZONING COMPARISON TABLE

<table>
<thead>
<tr>
<th>Intent</th>
<th>Light Industrial (LI)</th>
<th>SINGLE-FAMILY RESIDENTIAL (SR-2)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The LI district is intended to permit most commercial uses and low impact industrial uses which are compatible with surrounding commercial districts. More intensive industrial and manufacturing uses are permitted as conditional uses if the uses satisfy specific performance standards. Storage yards are permitted only as special exceptions subject to the approval of the Board of Zoning Appeals.</td>
<td>The Single-family Residential (SR) districts allow for one-family detached dwellings.</td>
</tr>
</tbody>
</table>
| Density | 19.4 units/acre (multi-family)  
14.5 units/acre (two-family)  
10.9 units/acre (single-family) | 7.3 units/acre                                                                                                                                                                                                                                     |

[CLICK HERE TO VIEW TABLE OF PERMITTED USES FOR ALL ZONING DISTRICTS.](#)
SUBDIVISION PROPERTY CONVERSION 1

0 Castlereagh Rd (Hemmingwood - West Ashley) TMS# 3530200167 – 0.28 ac.

Request under Section 54-815 of the Zoning Code to convert the parcel from common area/park parcel (reserve parcel) to a building site for a single-family residence.

Owner: 782A Rutledge, LLC
Applicant: O’Shea Law Firm
APPLICATION MUST BE PRINTED IN COLOR

Planning Commission Meeting Date Requested 4/20/22

PROPERTY DESCRIPTION

Property Address/Location: 0 Castlereagh Rd, Charleston SC 29414

TMS #: 353-02-00-167  County: Charleston

Acreage: Total .28  Highland .21  Critical Area n/a  FW Wetlands .07*

Deed Recorded: Date 6/21/18  Book 0729  Page 725

Plat Recorded: Date 8/24/89  Book a187  Page 408

Restrictive Covenants Recorded:

Yes - Book Page

Request zoning change from:

reservoir lot

to:

buildable lot

Reason for requested rezoning:

Sec. 54-815. - Miscellaneous platting situations. Converting parcels to building sites. A land parcel created by deed or land parcel identified as a reserve parcel on a plat may be converted to a building site within the limits set forth in this chapter. Removal of the reserve status shall require Planning Commission approval

Owner: 782 A Rutledge, LLC

Address: 1230 Folly Rd, Charleston SC 29412

Phone: 843-224-8274  Fax: 843-224-8275  E-Mail: wirvinsc@gmail.com

Applicant: Ian O'Shea

Address: 1120 Folly Rd, Charleston SC 29412

Phone: 843-805-4643  Fax: 843-805-4643  E-Mail: ian@oshealaw.com

Relationship to Owner:

Engineer/Surveyor/Architect  Attorney  Prospective Buyer

Representative/Other
REZONING APPLICATION

CITY OF CHARLESTON
Department of Planning, Preservation & Sustainability
Zoning Division
2 George Street, Suite 3100
Charleston, SC 29401

Information Required:
1. Tax map indicating the subject property
2. Recorded plat of the subject property
3. Rezoning application fee (check or cash payable to the City of Charleston)

I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. I authorize the subject property to be posted and inspected and this application to be heard by the Planning Commission of the City of Charleston on the meeting date requested.

Owner: ___________________________ Date: 3/25/22

[ORIGINAL SIGNATURE OF THE PROPERTY OWNER IS REQUIRED]

REZONING APPROVAL PROCESS

The rezoning process usually takes three to four months to complete.

1. **PRE-APPLICATION REVIEW** - Meet with City staff to receive comments on the proposed rezoning.

2. **PLANNING COMMISSION** - Submit completed **color** application, rezoning fee, tax map and recorded plat to the Zoning Division by 12:00 pm on the deadline date to be placed on the Planning Commission agenda. Application must have original signature of the owner; faxed and/or copied applications will not be accepted. Staff will review the application. Incomplete submittals will not be placed on the Planning Commission agenda. The Planning Commission will hold a public hearing and make a recommendation to City Council for approval, approval with conditions, disapproval or deferral of the rezoning.

3. **CITY COUNCIL** – After the Planning Commission makes its recommendation, the application will be forwarded to City Council where another public hearing will be held approximately one month later. City Council will then give the application first reading and make a decision to approve or disapprove the requested rezoning. Rezoning approvals require a subsequent second and third reading, typically at the next scheduled Council meeting, before the rezoning is ratified.

FOR OFFICE USE ONLY:

**Application Received**

Date ____________ Time ____________ Fee ____________ Receipt ____________

Staff ____________ Application Complete? Yes No

**Planning Commission recommendation:**

The Planning Commission heard the rezoning application and its recommendation to City Council is as follows:

☐ Approval ☐ Approval with Conditions ☐ Disapproval

Comments: ____________________________________________

____________________________________________________

____________________________________________________

____________________________________________________

Date ____________

Chairman or Zoning Official
LOCATION
Property Address: Castlereagh Rd
Charleston, SC 29414
Subdivision: Hemmingwood
County: Charleston County, SC

PROPERTY SUMMARY
Property Type: Unknown
Land Use: Undevelopable
Improvement Type: 
Square Feet: 

GENERAL PARCEL INFORMATION
Parcel ID/Tax ID: 353-02-00-167
Alternate Parcel ID: 
Account Number: 6-3
District/Ward: 
2010 Census Trct/Blk: 26.11/2
Assessor Roll Year: 2021

CURRENT OWNER
Name: 782A Rutledge LLC
Mailing Address: 1230 Folly Rd
Charleston, SC 29412-4106

SALEs HISTORY THROUGH 01/12/2022
<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
<th>Buyer/Owners</th>
<th>Seller</th>
<th>Instrument</th>
<th>No. Parcels</th>
<th>Book/Page Or Document#</th>
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<tr>
<td>6/21/2018</td>
<td>$240,000</td>
<td>782A Rutledge LLC</td>
<td>Tax Properties LLC</td>
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<td>Z563/556</td>
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<td>8/31/2005</td>
<td>$10</td>
<td>Allen Sue A</td>
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<td>G552/773</td>
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<td>6/8/2000</td>
<td>$118,000</td>
<td>Sawicki Chester E</td>
<td></td>
<td>A348/313</td>
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TAX ASSESSMENT
<table>
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<tr>
<th>Appraisal</th>
<th>Amount</th>
<th>Assessment</th>
<th>Amount</th>
<th>Jurisdiction</th>
<th>Rate</th>
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</thead>
<tbody>
<tr>
<td>Appraisal Year</td>
<td>2021</td>
<td>Assessment Year</td>
<td>2021</td>
<td>City Of Charleston</td>
<td>81.3</td>
</tr>
<tr>
<td>Appraised Land</td>
<td>$10,000</td>
<td>Assessed Land</td>
<td>$600</td>
<td>Charleston County</td>
<td>207.3</td>
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<tr>
<td>Appraised Improvements</td>
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<td>Assessed Improvements</td>
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<tr>
<td>Total Tax Appraisal</td>
<td>$10,000</td>
<td>Total Assessment</td>
<td>$600</td>
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<tr>
<td>Assessment Rate</td>
<td>6.00%</td>
<td>Exempt Amount</td>
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TAXES
<table>
<thead>
<tr>
<th>Tax Year</th>
<th>City Taxes</th>
<th>County Taxes</th>
<th>Total Taxes</th>
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</thead>
<tbody>
<tr>
<td>2021</td>
<td>$41.00</td>
<td>$24.00</td>
<td>$156.00</td>
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</tbody>
</table>
2020 $41.48 $25.86 $155.30
2019 $43.26 $25.88 $162.96
2018 $41.66 $25.86 $159.26
2017 $41.66 $26.78 $155.66
2016 $166.64 $107.92 $601.68
2015 $162.24 $107.52 $573.84
2014 $157.99 $92.27 $539.95
2013 $159.13 $92.27 $541.09

MORTGAGE HISTORY

<table>
<thead>
<tr>
<th>Date</th>
<th>Loan Amount</th>
<th>Borrower</th>
<th>Lender</th>
<th>Book/Page or Document#</th>
</tr>
</thead>
</table>

PROPERTY CHARACTERISTICS: BUILDING

No Buildings were found for this parcel.

PROPERTY CHARACTERISTICS: EXTRA FEATURES

No extra features were found for this parcel.

PROPERTY CHARACTERISTICS: LOT

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Lot Dimensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undevelopable</td>
<td>Lot Square Feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Latitude/Longitude</th>
<th>Acreage</th>
<th>0.28</th>
</tr>
</thead>
<tbody>
<tr>
<td>32.829356°/-80.038251°</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

PROPERTY CHARACTERISTICS: UTILITIES/AREA

<table>
<thead>
<tr>
<th>Gas Source</th>
<th>Road Type</th>
</tr>
</thead>
<tbody>
<tr>
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<table>
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<tr>
<th>Electric Source</th>
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<tr>
<th>Water Source</th>
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<th>Sewer Source</th>
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Owner Type

LEGAL DESCRIPTION

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Plat Book/Page</th>
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<tr>
<td>Hemmingwood</td>
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<table>
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<tr>
<th>Block/Lot</th>
<th>District/Ward</th>
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Description

Park And Common Area

FEMA FLOOD ZONES

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<tr>
<th>Zone Code</th>
<th>Flood Risk</th>
<th>BFE</th>
<th>Description</th>
<th>FIRM Panel ID</th>
<th>FIRM Panel Eff. Date</th>
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<tr>
<td>AE</td>
<td>High</td>
<td>10 Ft</td>
<td>Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.</td>
<td>45019C0483K</td>
<td>01/29/2021</td>
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0.2 PCT Moderate

<table>
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<th>0.2 PCT</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>0.2 PCT</th>
<th>Moderate</th>
</tr>
</thead>
</table>

An area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 100-year flooding.

45019C0483K 01/26/2021

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Subdivision Property Conversion 1: 0 Castlereagh Rd

PROPERTY: 0 Castlereagh Rd, TMS# 353-02-00-167

BACKGROUND

This property is located in the Hemingwood Subdivision in West Ashley. The subdivision was built under Charleston County jurisdiction in 1989 and was annexed into the City of Charleston in 1993. On the final subdivision plat recorded on August 24, 1989, the lot in question is shown as a 12,390.33 square feet “park (common area)”. The owner of the property wishes to remove the park/common area status of the parcel and convert it to a building site in order to build a new single family residence on the parcel. The Hemmingwood PUD requires a minimum lot size of 6,000 square feet for a residential parcel.

Per Sec. 54-815 of the City of Charleston Zoning Ordinance, this conversion requires approval by the Planning Commission.

Sec. 54-815. - Miscellaneous platting situations.
Converting parcels to building sites. A land parcel created by deed or land parcel identified as a reserve parcel on a plat may be converted to a building site within the limits set forth in this chapter. Removal of the reserve status shall require Planning Commission approval.
AERIAL

SUBDIVISION PROPERTY CONVERSION

0 Castlereagh Rd (WEST ASHLEY)
DEDICATION STATEMENT

THE SQUIRES HOME, INC. IN RECORDING THIS PLAT OF HEMMINGWOOD SUBDIVISION COMMUNITY HAS DESIGNATED CERTAIN AREAS OF LAND AS COMMON AREAS INTENDED FOR THE USE BY THE HOMEOWNERS IN HEMMINGWOOD SUBDIVISION COMMUNITY FOR RECREATION AND OTHER RELATED ACTIVITIES.

THE DESIGNATED AREAS ARE NOT DEDICATED HEREBY FOR USE BY THE GENERAL PUBLIC, BUT ARE DEDICATED TO THE COMMON USE AND ENJOYMENT OF THE HOMEOWNERS IN HEMMINGWOOD SUBDIVISION COMMUNITY AS MORE FULLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS APPLICABLE TO HEMMINGWOOD SUBDIVISION COMMUNITY DATED SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE A PART OF THIS PLAT.

ALSO, BY THE RECORDING OF THIS PLAT I HEREBY DEDICATE ALL EASEMENTS AND ROAD RIGHT OF WAYS TO THE USE OF THE PUBLIC FOREVER.

[Signature] Owners or Representative
I. STATEMENT OF PURPOSE

The Hemmingwood PUD is a 14.68 acre neighborhood located off Dogwood Road. The original tract, and one adjoining parcel which is not part of the Hemmingwood neighborhood, was given a "Planned Development" zoning by Charleston County and developed under the jurisdiction of Charleston County before the Hemmingwood neighborhood was annexed into the City of Charleston.

The development guidelines listed below incorporate the original guidelines adopted by Charleston County with updates to reflect the neighborhood as it currently exists.

II. LAND USES

The Hemmingwood PUD consists of 63 single-family detached homes, two ponds and a park common area. Landscape buffers 30 feet in width run along Dogwood Road and Pierpont Avenue.

III. SETBACK CRITERIA

The following building setback, lot coverage and height requirements shall apply:

A. Front Setback: 18 feet minimum
B. Rear Setback: 10 feet minimum
C. Side Setback: Minimum of 4 feet on one side, and minimum of 8 feet total both sides
D. Corner Lots: Front setback shall be measured to roadway which house faces. Side setbacks shall be applicable to the other roadway.
E. Lot Coverage: Maximum of 35% building lot coverage
F. Height Limit: 35 feet maximum measured from flood elevation. Additional setback of one foot required for each foot of height over 35 feet.

IV. LOT SIZE CRITERIA

A. Total Number of Single-family Lots = 63
B. Average Lot Size = 6,750 Square Feet
C. Minimum Lot Size = 6,000 Square Feet
SUBDIVISION 1

River Rd & Plowground Rd (Wooddale – Johns Island) TMS # 3160000034, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045 and 057 – approx. 469.1 acres.

Request approval of subdivision concept plan for 430 single-family residential lots. Zoned Wooddale Planned Unit Development (PUD).

Owner:  Lennar Carolinas, LLC
Applicant:  Thomas & Hutton
Wooddale
City of Charleston, SC
PUD Land Use Exhibit

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area (ac)</th>
<th>Percent</th>
<th>Color</th>
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<tbody>
<tr>
<td>Ponds</td>
<td>24.4</td>
<td>5.20%</td>
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<tr>
<td>Wetlands</td>
<td>157.1</td>
<td>33.49%</td>
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<tr>
<td>Neighborhood Center</td>
<td>8.3</td>
<td>1.77%</td>
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</tr>
<tr>
<td>Neighborhood Edge</td>
<td>78.0</td>
<td>16.63%</td>
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<tr>
<td>Neighborhood Work Center</td>
<td>34.5</td>
<td>7.35%</td>
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<tr>
<td>Park &amp; Natural Area</td>
<td>36.0</td>
<td>7.67%</td>
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<tr>
<td>Neighborhood General</td>
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<tr>
<td>Wetland Buffer</td>
<td>16.5</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>469.1</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>Red</strong></td>
</tr>
</tbody>
</table>

DISCLAIMER
Where Thomas & Hutton is cited as the data source, the firm has created or verified the data. For all other sources cited, Thomas & Hutton used the data "as is," has made no independent investigation of the data, and makes no representation as to the accuracy or completeness of the data. Please see each source for available documentation of its respective datasets.

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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community.
TMS# 316-00-00-034, 036, 037, 038, 039, 040, 041, 042, 043, 044, 045, 057

PUD Open Space Goal 50%

Useable Open Space ac. Required 23.5

Usable Open Space % of Open Space Required 25%

Open Space ac. Provided 241.1

Open Space ac. Required 93.8

Open Space % of Gross PUD Required 20%

Useable Open Space ac. 23.6

Open Space ac. (Includes Wetlands, Buffers, Ponds, Parks & Useable Open Space) 241.1

Ponds 24.4

Density 1.5

Net Developable Area ac. 295.5

Wetland Buffer ac. 16.5

Wetlands to Remain ac. 157.1

Wetland Fill ac. 3.2

Lot Count 430

Total Upland ac. 308.8

Existing Critical Area ac. 0.0

Total Concept Plan Area ac. 469.1

Total PUD Area ac. 469.1

Fema Flood Map Number 45019C Panel 658 & 659 Effective 1/29/21

Flood Zone X & X Shaded

Zoning PUD

Proposed Concept Plan Open Space Summary

Proposed Concept Plan Data

Existing Site Data

General Site Data
Subdivision 1: Wooddale

Date of first submission: 7/6/20
Dates of TRC review: 7/30/20, 1/7/21, 5/6/21, 3/10/22, 4/7/22

CLICK HERE TO VIEW FULL CONCEPT PLAN

CLICK HERE FOR MOST RECENT TRC REVIEW COMMENTS

CLICK HERE TO VIEW APPROVED WOODDALE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AND DEVELOPMENT GUIDELINES
The Planning Commission has 60 days to act from the date of the receipt of the concept plan and all required documentation, or shall be deemed approved if no action is taken within the 60-day time period. Approval of a concept plan by Planning Commission, including a default approval, does not guarantee final subdivision plan approval; it merely permits the applicant to proceed to the next step in the review process.

In this case, the approval of the Planning Commission is required for a major subdivision consisting of 5 lots or more but no new rights-of-way are being proposed. The mixed use parcel will return to TRC for Site Plan review. Final approval by the Technical Review Committee is required prior to applying for construction permits is contingent upon:

1. **Approval of the preliminary plat** which requires full compliance with regulations regarding lot size, Stormwater easements, GIS addressing and protected trees, where applicable.

2. **Approval of road construction plans** which requires full compliance with regulations related to the Americans with Disabilities Act (ADA), street trees, stormwater engineering, fire safety, and traffic flow.
TECHNICAL REVIEW COMMITTEE (TRC)

APPEAL 1

Cane Slash Rd (Cane Slash Subdivision – Johns Island) TMS # 3450000007 & 023 – approx. 30.2 acres.

Request an appeal of the Staff’s determination to deny a Conservation Development Pre-Application per Zoning Code Sec. 54-299.61. Property zoned Single-Family Residential (SR-1).

Owner: Chrysalis Investments, LLC.
Applicant: Forsberg Engineering & Surveying, Inc
AERIAL

TECHNICAL REVIEW COMMITTEE (TRC) APPEAL 1

CANE SLASH RD (JOHNS ISLAND)
Part 19 – Conservation Development

Sec. 54-299.61 – Conservation Development approval and design criteria.

(1) Pre-Application Site Review

(a) Purpose. The purpose of the pre-application site review is to identify the features and resources on the proposed Conservation Site that should be preserved, and to determine potential site layouts that will best meet the criteria of a Conservation Development.

[...]

(e) Determination. Designated staff from the Planning Department and the Stormwater Department shall determine whether the Request complies, in concept only, with the standards for Conservation Development before the applicant may submit a concept plan to TRC.

Sec. 54-299.63. - Appeal.

Any determination by staff and/or TRC under this Part 19 may be appealed to the Planning Commission by any party in interest if an appeal is filed with the Zoning Division within ten (10) business days after actual notice of the decision. The Planning Commission must act on the appeal within sixty (60) days, and the action of the Planning Commission is final.
Part 19 – Conservation Development

Sec. 54-299.59 – Purpose.

(1) **Intent.** City Council intends for Conservation Developments to facilitate innovative residential developments that:

(a) Utilize creative and flexible site design compatible with surrounding development patterns;
(b) Accommodate and preserve features of historical, cultural, archeological, and/or environmental significance;
(c) Conserve existing, intact, undisturbed forests, understory, grasslands, soils, and other upland ecosystems.
(d) Provide common open space of high quality with multiple access points;
(e) Decrease stormwater runoff and nonpoint source pollution by reducing the amount of impervious surface in the development and incorporating Green Infrastructure;
(f) Reduce infrastructure costs by mimicking predevelopment site hydrology into the stormwater management design for the development; and
(g) Maintain unobstructed scenic views or vistas, especially from street rights-of-way.

(2) **Definition.** A Conservation Development is a development utilizing innovative site planning techniques to concentrate buildings, structures, and impervious surfaces in specific areas within the development and to allow the remaining land to be used for common open space. Such techniques may include, but shall not be limited to, any or all of the following:

(a) Reduction or, when appropriate, elimination of (i) minimum lot areas per family; (ii) minimum setbacks; and/or (iii) minimum lot frontage; and/or
(b) Increase or, when appropriate, elimination of maximum lot occupancy;
but only to the extent such techniques facilitate the preservation and use of the remainder of the development as common open space.

(3) **Conservation Site.** "Conservation Site" or "Site" means all properties, lots, parcels, waterbodies, watercourses, wetlands, and other areas included within a Conservation Development, whether or not such properties, lots, parcels, waterbodies, watercourses, wetlands, or other areas will be developed.

**CLICK HERE TO READ THE FULL CONSERVATION DEVELOPMENT ORDINANCE**
March 1, 2022

Mr. Trey Linton
Forsberg Engineering & Surveying, Inc.
1523 Savannah Highway
Charleston, S.C. 29407

Re: Cane Slash Conservation Development

Dear Trey,

City staff has reviewed the revised Diagram exhibits submitted and has made the determination that the project, as presented, cannot be approved to move forward as a Conservation Development. The justifications are as follows;

1. The proposed freshwater wetland crossing does not comport with the intent to conserve existing freshwater wetland systems intact and overland water flows. Reference Section 54-299.59 Purpose. (1) -

   (c) Conserve existing, intact, undisturbed forests, understory, grasslands, soils, and other upland ecosystems.

   (f) Reduce infrastructure costs by mimicking predevelopment site hydrology into the stormwater management design for the development; and

2. The existing topographic features, i.e., the open conveyance ditch, remnant agriculture swale and borrow pits are not being conserved.

   (b) Accommodate and preserve features of historical, cultural, archeological, and/or environmental significance; and

3. The existing conservation tree population is not incorporated into conserved open space.

   (d) Provide common open space of high quality with multiple access points.

Sincerely,
Eric Schultz
Principal Planner

Cc. Lee Batchelder, Zoning Administrator
    Christopher Morgan, Planning Director
    Ana Harp, Senior Planner
    Chloe Stuber, Planner
    Matthew Fountain, Director Stormwater Management
    Kinsey Holton, Stormwater Program Manager
    Ron Bucci, Stormwater Development Manager
Order of Events to Date

1. September 13, 2021: received Conservation Development application, deemed incomplete.
2. November 1, 2021: received revised CD application, deemed complete.
3. November 9, 2021: Pre-application meeting SITE ANALYSIS, comments provided.
5. December 13, 2021: Diagram Meeting, staff indicated the DIAGRAM was not ready to receive an affirmative determination; listed reasons in e-mail.
6. January 7, 2022: Staff conducts a field visit with consultant to better understand the physical attributes of the site.
7. February 8, 2022: receive revised DIAGRAM.
8. March 1, 2022: Diagram Meeting, staff delivers a negative determination; provided reasons the project cannot move forward as a CD (verbally).
9. March 2, 2022: Determination Letter sent via e-mail to applicant.
10. March 16, 2022: Applicant initiates the appeal process.
STUDY SUBMITTED BY RANDALL ARENDT
AS PART OF THE DISCUSSION ON 3/1/2022
APPLICANT-PROVIDED CONTENT
UPLAND BASIN 1
3.41 ACRES

UPLAND BASIN 2
1.52 ACRES

UPLAND BASIN 3
4.43 ACRES

0.68 ACRES

0.25 ACRES

0.46 ACRES

ULTIMATE DISCHARGE
WILL BE TO THE
EXISTING WETLAND
SYSTEM/CHANNELS

CANESLASH SUBDIVISON
CONCEPTUAL DESIGN
STORMWATER BUBBLE DIAGRAM
Narrative for Cane Slash conservation Development

The applicants take issue with the March 1, 2022 findings, in points (c) regarding conserving existing, intact, undisturbed forests, understory, grasslands, soils, and other upland ecosystems and point (f) reduce infrastructure costs by mimicking predevelopment site hydrology into the stormwater design for development.

We hired the author of the ‘Conservation Design for Subdivisions’, Mr. Randall Arendt. He is the acknowledged leader in the subject having designed many conservation subdivisions and has helped municipalities develop their own conservation ordinances. We were led to him by Eric Schulz’s recommendation that we read his book. Mr. Arendt familiarized himself with the project, its history, and all available studies. His work resulted in a site plan that is spot-on. His goal, and what we believed was the goal of Charleston’s ordinance, was the preservation of trees, assuring maximum front and back views unobstructed by other homes, maximum lot size, creative lot placement and useable open space etc. We feel he did this and more than fulfilled the Cities requirements. We also don’t feel that the city staff fully appreciated Mr. Arendt’s elegant site plan.

Our proposal fulfilled all of the following:

(a) Utilize creative and flexible site design compatible with surrounding development patterns.
(b) Accommodate and preserve features of historical, cultural, archeological, and/or environmental significance. Note a cultural study concluded ‘Further management of the Burns Cane Slash Tract with regard to cultural resources is not warranted. Proposed land-disturbing activities in the Burns Cane Slash Tract will not affect any historic properties and should be allowed to proceed without further management considerations.’ Brockington Cultural Resources Consulting, Jan 2009 ‘Intensive Cultural resource Survey of the Burns Cane slash Tract’
(d) Provide common open space of high quality with multiple access points. Decrease stormwater runoff and nonpoint source pollution by reducing the amount of impervious surface in the development and incorporating GI.

*Our plan provides common open space with multiple access points: plans show all the upland “islands” to be fully preserved with boardwalk/walking path connections at multiple access points to provide pedestrian access.*
(g) Maintain unobstructed scenic views or vistas, especially from street rites-of-way.
Please refer to the site map developed by Randall Arendt. He went beyond the criteria in accomplishing all of the above. It was thought by our team that this was an ‘innovative residential development’ that would be a credit to the City as the first project approved under the new Conservation Ordinance.

Regarding the CORP Nationwide Permit to cross the wetlands it has been approved not once but twice. The first approval was issued in October of 2018 Along with the attendant DHEC and OCRM approvals. The second approval from the CORP was in Oct of 2021 followed by DHEC and the OCRM. The CORP’s conclusion is ‘the proposed activity will result in minimal individual and cumulative adverse environmental effects and is not contrary to the public interest. Furthermore, the activity meets the terms and conditions of NWP 14 Linear Transportation Projects.’

Also worth noting, the project went through two TRC sessions back in 2007 and 2008, before the recession. We applied for a PUD with multi-family on the front portion and single family on the rear portion. Total units were 96. At the time there were 20 high acres.
Then again in 2016-18 we applied to the TRC for cluster zoning. We again went through two TRC sessions that were greeted by the City with no objections to crossing the wetlands or the initial site plans as presented. Lack of sewer taps was the reason for withdrawing the application.

**What we are asking for**
We ask the Planning Commission to give this project a fuller and more open review that results in:

- a listing of “findings of fact” to back up its unsubstantiated argument that there is an overflow of water through the wetlands that our street fill, with culverts, would supposedly impede. Can they precisely explaining how and why the crossing is deficient – i.e., what specific changes would need to be made to the crossing to make it consistent with published regulations.
- Additionally, there is no data support given for the restriction of wetland species across the wetlands. The crossing only serves 20 homes in the south portion, a number that speaks to very low road usage.
The Pre-application meeting that decided the fate of the project was made behind closed doors in an internal staff meeting where there was no opportunity for us to be asked questions and provide answers and we assume no minutes were taken.
The recent March 1 zoom meeting with us and staff was primarily to communicate their denial. There were no minutes taken and **NO facts** given as to the reasons for denial beyond the not meeting the subjective term ‘intent’. There is no date to support much overland surface water flow across the proposed crossing route, and there is an absence of any data suggesting wetland species such as salamanders would be endangered by the very small amount of internal neighborhood traffic using the crossing (the crossing would service only 20 homes).
If wetland crossings are not permitted or limited in the Conservation Ordinance what are the reasonable options for a property like ours? All surrounding developments were granted PUD’s or cluster zoning long after we acquired the parcels and attempted to secure zoning. They were given the required utilities ahead of us.

We are asking for this because of the following reasons:
1. The terms of the denial unreasonably restricts utilization of the property.
2. The property interest was acquired in good faith 17 years ago and any hardship was not created by the applicant.
3. The granting of a rezoning does not result in a use that has not otherwise been permitted on similar property all along Cane Slash.
4. The authorization of a zoning change will not be detrimental to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the zoning change. To the left, the parcels are separated from Twin Lakes by a wide forest buffer and to the right there are only a handful of homes.
5. Strict application of ordinance would destroy the value of the property.
6. Similar rezonings and wetland crossings were repeatedly granted over time in the area.
7. Adjacent property is used in the same manner as proposed by the rezoning.
Question: Back in 2007 and 2008 we were doing our planning following the *Johns Island Community Plan and Code*. In the intervening years the demand for more housing, especially workforce housing (15,000 units by the Cities estimate) and the growth in the greater Charleston area raises the question of revisiting zoning options, especially considering the limitations of the current Conservation Ordinance with regard to wetland crossings. For example, in 2007 our parcels were designated T-3 (sub-urban zone, low density adjacent to higher zones, some mixed use) and T-4 (general urban zone, mixed use, wide range of building types – townhomes, apartments etc). This is what permitted multi-family on the front portion and single family on the rear portion. At the time it was suggested that zoning designations should be revisited every ten years to accommodate increased demand by rezoning as growth moves from the inner urban areas outward to less dense areas. The Cane Slash parcels are within a 5-minute walk to Maybank and River, making it an ideal location for workforce housing close to transportation and increasing employment opportunities. In other words what was looked at as perfectly acceptable in 2008 could fulfill the housing goals of the City of Charleston today.

What follows is a short history of the property as it is somewhat unconventional given the growth of the surrounding area that for some reason precluded us from getting required utilities in a timelier manner like all other developments in the Cane slash area.

**A Short history of Cane Slash Property**

**We are including this because there were many factors and players over the years that resulted in our situation today.**

2006 thru 2008 – employed HLA to help entitle land and develop site plan for 96 units Multi-family on front portion, single family on rear per Johns Island Community Plan and Code.
**Applied to TRC for PUD.** Commissioned Surveys, Wetland JD, Traffic Study, Cultural Resource Survey and Phase I Environmental. Did not pursue final approvals due to recession.
2009 thru 2013 – no activity due to recession
2014 – LOI from DR Horton. Did not follow through due to need for updated Wetland survey.
2016 – Went to contract with Lennar to purchase. Lennar doesn’t follow thru due to lack of sewer from Charleston Water. HLA was advisor to Lennar.
2016 – Went to contract with Crescent Homes. Their Twin Lakes development was contiguous, and Ted Terry claimed they controlled 50+ taps for sewer. Applied to TRC for Cluster zoning and went through the second TRC session. I initiated the procuring of a ACOE Wetland Crossing permit. Crescent halted process due to the lack of sewer tap availability and the contract was
cancelled in 2018. Before we applied to the TRC I renewed all entitlements including TOPO, Grand Tree, Traffic etc. Stantec was the engineering firm that did the wetland crossing, site plan work and all TRC submittals.

2018 thru ’19 – in frequent contact with CWS regarding the availability of sewer.
2020 - January, Stantc estimated and CWS agreed that 57 taps were available based on the Twin Lakes pump station availability. No answer from CWS thru September 2020.
2020 – September, received a LOI from Brent Case who meets with CWS and receives a 47 tap availability letter on behalf of the property.
2020 - Oct 13 signed contract with Brent Case. Plan was to apply for Cluster zoning. This was the same day the Cluster Zoning was sunset.
2021 April 13 – Conservation Ordinance passed.
2021 May 27 – applied to TRC for an Early Site Plan permit. Still in progress.
2021 – Prepared material for Conservation Pre-Application, submitting it on Nov 1.
2021 - March 1, Planning denies request for Conservation zoning to proceed to the TRC.
END OF APPLICANT-PROVIDED CONTENT
To amend Article 2 (Land Use Regulations), Part 1 (Descriptions of Base Zoning Districts and Overlay Zones), Section 54-202 (Overlay zones) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to establish a Student Housing (STH) District Overlay Zone for the purpose of identifying sites appropriate for the establishment or expansion of student housing uses and to change the Zone Map, which is a part thereof, so that properties designated as Charleston County TMS Nos. 4570401001, 4570401008, 4570401027 to 030, 4570401032 to 034, 4570401056 to 4570401063, 4570401075, 4570401137, 4570401141, 4570401142, 4570402001, 4570402004 to 012, 4570402014 to 033, 4570402035 to 041, 4570402043, 4570402045, 4570402046, 4570402059 to 064, 4570402066, 4570402067, 4570402069, 4570402070, 4570402071, 4570402074, 4570402075, 4570402078, 4570402080 to 083, 4570402085 to 134, 4570402136 to 172, 4570402175 to 182, 4570402184 to 191, 4570402193, 4570402194, 4570404051, 4570404052, 4570404054, 4570404055, 4570404058, 4570404067, 4570404075, 4570404078, 4570404079, 4570404092 to 105, 4570404107 to 111, 4570404132 to 135, 4570404150 to 154, 4570404157 to 160, 4570404163, 4570404167 to 192, 4570404271 to 277, 4570404295 to 301, 4570404307 to 320, 4570404322, 4570801046, 4570801048 to 054, 4570801067, 4570801069, 4570801095 to 117, 4570801141 to 156, 4601601077, 4601602019 to 022, 4601602024 to 034, 4601602038 to 042, 4601602044 to 046, 4601602067, 4601602073 to 079, 4601603001, 4601603002, 4601603004 to 009, 4601603017, 4601603080, 4601603081, 4601603088, 4601603089, 4601603127, 4601603143 to 203, 4601603219, 4601604001, 4601604002 to 004 and 4601604008 be included within the Student Housing (STH) District Overlay Zone.
AN ORDINANCE


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

Section 1. Sec. 54-202. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-202.o:
o. **Student Housing, STH Overlay Zone.** The Student Housing Overlay Zone is intended to provide for appropriate sites for the establishment or expansion of student housing uses within commercial or mixed-use zoning districts.

Section 2. Article 2 Land Use Regulations, Part 5 Permitted Uses for Overlay Zones, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following new Sec. 54-229.10:

Sec. 54-229.10. – Student Housing, STH Overlay Zone.

a. **Intent.** The intent of the Student Housing "STH" overlay zone is to provide for appropriate sites for the establishment or expansion of student housing uses within commercial and mixed-use zoning districts, as set forth on the official zoning map.

b. **Student Housing defined.** For the purposes of this Section, student housing shall be purpose-built student accommodations where housing is specifically built for students by private commercial developers or academic institutions. Such housing takes one of three forms: 1. Self-contained studio or “cluster” flats with private kitchens but shared living space. 2. Halls of residence containing ensuite bedrooms with shared kitchen, dining and living facilities. 3. Traditional dormitory format without kitchens.

c. **Permitted uses.** In any Student Housing (STH) overlay zoning district, land may be used and buildings or structures may be erected, altered or used for any purpose allowed by the underlying zoning district as listed in Article 2, Part 3, and student housing subject to the approval of a special exception by the Board of Zoning Appeals—Zoning, upon a finding by the Board that the student housing development will meet following conditions:
   1. The property to be used for student housing is located entirely within the STH overlay zone
   2. The property to be used for student housing is not located within a City designated residential parking district.
   3. Student housing design characteristics are consistent with the Student Housing definition as defined in this Section
   4. Development includes no rooftop amenity areas or access, other than for emergency access.
   4. The number of beds per bedroom shall be limited to two (2) beds.
   5. Parking is provided at a rate of 1 space for each four (4) beds or fraction thereof.
   6. Area shall be provided on-site for the loading and unloading of passengers and belongings such that no queuing off-site or within drive lanes shall be required.
   7. Leases or rental agreements for the tenants shall include provisions that prohibit a resident from having a personal automobile unless an assigned parking space is identified and provided/assigned on-site for the tenant for the duration of the lease or rental agreement.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
________________ in the Year of Our Lord, 2022,
and in the 246th Year of the Independence of
the United States of America

______________________________
John J. Tecklenburg, Mayor

ATTEST:
______________________________
Clerk of Council
Ordinance Amendment 2

To amend Article 2 (Land Use Regulations), Part 1 (Descriptions of Base Zoning Districts and Overlay Zones), sub-section 54-201.d. (Base zoning districts - Single-Family Residential) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to correct a scrivener’s error.
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING ARTICLE 2 (LAND USE REGULATIONS, PART 1 (BASE ZONING DISTRICTS) TO CORRECT A SCRIVENER’S ERROR BY INSERTING MISSING INFORMATION.

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

Section 1. That Section 54-201, d. of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by revising it to add the density for Single Family Residential zonings SR-7 and SR-8 by making the following changes:

“d. Single-family Residential, SR-1, SR-2, SR-3, SR-4, SR-5, SR-6, SR-7 and SR-8 Districts. The Single-family Residential (SR) districts allow for one-family detached dwellings with maximum densities of 4.8, 7.3, 7.3, 10.9, 17.4, and 8.7, 1 and 2.9 dwelling units per acre respectively, with varying setback, height and lot occupancy requirements.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of ______________ in the Year of Our Lord, 2022 and in the _____ Year of the Independence of the United States of America

________________________________________
John J. Tecklenburg, Mayor

ATTEST: _______________________________________
Clerk of Council
Ordinance Amendment 3

To amend Article 2 (Land Use Regulations), Part 3 (Table of Permitted Uses) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to correct a scrivener’s error.
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING ARTICLE 2 (LAND USE REGULATIONS), PART 3 (TABLE OF PERMITTED USES) TO CORRECT A SCRIVENER’S ERROR BY DELETING MULTI-FAMILY DWELLING AS A SPECIAL EXCEPTION USE FOR RESIDENTIAL OFFICE – RO DISTRICT.

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

Section 1. Article 2, Part 3, Table of Permitted Uses of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting “†” within the principle use row titled “881. Multi-family dwelling 54-358. 54-206.u.”

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of

______________ in the Year of Our Lord, 2022

and in the_____ Year of the Independence of

the United States of America

_____________________________________

John J. Tecklenburg, Mayor
ZONING 1

1890 and 1886 Ashley River Rd, 1407 Adele St (Ancrum Hill – West Ashley) TMS # 3510700027, 028 and 048 – approx. 0.35 acre.

Request zoning of Commercial Transitional (CT). Zoned Ashley River Road Corridor Community Commercial Overlay District (OD_ARCC_CC), Neighborhood Commercial, General Office, and Single-Family Residential (R-4) in Charleston County.

Owner: Charleston Redevelopment Corporation.

1890 and 1886 Ashley River Rd, 1407 Adele St (Ancrum Hill – West Ashley) TMS # 3510700027, 028 and 048 – approx. 0.35 acre.

Request zoning of Commercial Transitional (CT). Zoned Ashley River Road Corridor Community Commercial Overlay District (OD_ARCC_CC), Neighborhood Commercial, General Office, and Single-Family Residential (R-4) in Charleston County.

Owner: Charleston Redevelopment Corporation.
1890 & 1886 Ashley River Rd, 1407 Adele St
(Suburban)
City Plan Future Land Use Recommendation

ZONING 1: 1890 & 1886 Ashley River Rd, 1407 Adele St

SUBURBAN

Low intensity, suburban-style areas, adjacent to higher-intensity areas that include a mix of uses. Limited mixed-use occurs at key cross roads. Densities range from four to eight dwelling units per acre (4 du/a to 8 du/a). Examples include: Wagener Terrace, Riverland Terrace, Avondale, and St. Johns Woods neighborhoods.
STREET VIEW: SUBJECT PROPERTY TO THE RIGHT
ZONING 2

2931 Maybank Hwy (Johns Island) TMS # 3130000092 approx. 0.61 acre.

Request zoning of Commercial Transitional (CT). Zoned Maybank Highway Corridor Overlay District (OD_MHC) and Limited Commercial (LC) in Charleston County.

Owner: HCC Holdings, LLC

Area
2931 Maybank Hwy (Neighborhood Edge)
Neighborhood Edge

The Neighborhood Edge designation is found on the periphery of existing neighborhoods and future
neighborhoods. Uses vary widely but are mainly those things that residents need such as offices,
stores and restaurants that are typically found along roads and transit routes forming the edges of
neighborhoods rather than the centers. While traditionally threaded along major roads, over time,
these areas could transition to more urban compact design patterns and contain more residential
uses; especially along major transit routes. Residential densities can range from 6-20 units per acre.
Examples include: many portions of Folly Road and some portions of Savannah Highway, Sam
Rittenberg Boulevard and Bees Ferry Road.
ZONING 3

2153 Westrivers Rd (Riverland Terrace – James Island) TMS # 3430600209 approx. 0.24 acre.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Nicholas and Martha Kliossis
2153 Westrivers Rd
(Suburban)
City Plan Future Land Use Recommendation

ZONING 3: 2153 Westrivers Rd

SUBURBAN

Low intensity, suburban-style areas, adjacent to higher-intensity areas that include a mix of uses. Limited mixed-use occurs at key cross roads. Densities range from four to eight dwelling units per acre (4 du/a to 8 du/a). Examples include: Wagener Terrace, Riverland Terrace, Avondale, and St. Johns Woods neighborhoods.
ZONING 4

2158 and 2154 Westrivers Rd (Riverland Terrace – James Island) TMS # 3430100115 and 136 approx. 0.48 acre.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Ryan and Lauren Fogelgren
City Plan Future Land Use Recommendation

ZONING 4: 2158 & 2154 Westrivers Rd

SUBURBAN

Low intensity, suburban-style areas, adjacent to higher-intensity areas that include a mix of uses. Limited mixed-use occurs at key cross roads. Densities range from four to eight dwelling units per acre (4 du/a to 8 du/a). Examples include: Wagener Terrace, Riverland Terrace, Avondale, and St. Johns Woods neighborhoods.
END OF SLIDES