

AGENDA

PLANNING/ PUBLIC WORKS COMMITTEE

2/2/2012

Henry E. Darby, Chairman
Colleen Condon
Anna B. Johnson
Teddie E. Pryor
Joe Qualey
Vic Rawl
Herb Sass
Dickie Schweers
Elliott Summey

**AGENDA
PLANNING/PUBLIC WORKS COMMITTEE
FEBRUARY 2, 2012**

5:00 PM

- 1. FORM BASED ZONING COMP PLAN AMENDMENT** **- Request to Approve
Taylor/Pennick**
The purpose of the proposed amendments is to recognize in the Comprehensive Plan how Form-Based Zoning can be used to further the goals and strategies of the Plan.

- 2. DEVELOPMENTS OF COUNTY SIGNIFICANCE** **- Request to Approve
Taylor/Pennick**
The purpose of the proposed amendments is to implement the Developments of County Significance provisions contained in the Comprehensive Plan.

1.

Form Based Code

FEBRUARY 2, 2012 PLANNING & PUBLIC WORKS COMMITTEE

**COMPREHENSIVE PLAN AMENDMENT HISTORY:
PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN
TO INCORPORATE FORM-BASED ZONING**

Purpose of Proposed Amendments:

The purpose of the proposed amendments is to recognize in the Comprehensive Plan how Form-Based Zoning can be used to further the goals and strategies of the Plan.

Planning Commission Meeting – February 14, 2011

Planning Commission Recommendation: Approval (*Vote: 9 to 0*)

Speakers in opposition: 0

Speakers in support: 0

Planning Commission Meeting History:

These amendments were also discussed at the December 13, 2010 meeting. These amendments, along with the ZLDR amendments for Developments of County Significance, were held back from previous public hearings in order to bundle them together with the ZLDR amendments to incorporate a Form-Based Zoning District. The ZLDR amendments for Form-Based Zoning are underway and should be brought to the Planning Commission for consideration in the near future after the consultants have prepared the draft ordinance language.

Planning Commission Meeting Notifications:

Planning Commission meetings were advertised in the Post & Courier and all persons on the Comprehensive Plan/ZLDR Community Interest List and all municipalities were notified by letter.

Public Hearing – January 24, 2012

Speakers in opposition: 0

Speakers in support: 1

- *During the public comment period for the ZLDR amendments to incorporate Developments of County Significance, Kate Parks, with the SC Coastal Conservation League, spoke in favor of both these Comprehensive Plan amendments and the ZLDR amendments. She also submitted a letter of support.*

Public Hearing Notifications:

The Public Hearing was advertised in the Post & Courier on Dec. 23, 2011 and all persons on the Comprehensive Plan/ZLDR Community Interest List and all municipalities were notified by email/letter on Dec. 22, 2011.

Chapter 3.1 Land Use Element

3.1.3: GENERAL LAND USE POLICIES

Land Use Element Needs

- Insert the following new Land Use Element Need:
 - ***Authorizing innovative planning strategies that respond to emerging land use policy needs, with focus on the form and mix of land uses in land use plans.***

Land Use Element Strategies and Time Frames

- Insert the following new implementation strategy:

LU 10. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to authorize a combination of land uses within communities, including residential, service, and employment land uses.

3.1.6: SPECIAL PLANNING AREAS

A. Major Planning Efforts: Developments of County Significance

- Revise the penultimate sentence of the current paragraph as follows (proposed text appears in ***bold italics*** and deleted text appears with ~~double strikethrough~~):

Developments of County Significance are defined as proposed developments that: (1) have a gross acreage equal to or exceeding 1,000 acres, (2) are located in the Rural Area of the County, and (3) ~~are not entirely in compliance with all~~ ***may be considered consistent with the*** recommendations of this Plan ***if they comply with the criteria and requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance.*** ~~including density recommendations.~~

3.1.7: FUTURE LAND USE RECOMMENDATIONS

- Insert a new row in Table 3.1.1, Future Land Use Residential Densities, for “***Form-Based Zoning Districts***”, which is applicable to all Future Land Use Categories, and reference Section 3.1.7.D in the “Residential Density Guidelines” column.
- Insert a new ***Section 3.1.7.D, Form-Based Zoning District:***

A Form-Based Zoning District is a zoning district category and a planning tool that guides the form and character of the built environment to create development patterns that coordinate the location of a variety of land uses with a connected transportation network in a manner that accommodates pedestrian mobility and controls sprawl.

These development patterns further the Land Use, Economic Development, Population, Housing, Transportation, Community Facilities, Natural Resources, Cultural Resources, and Priority Investment, Implementation, and Coordination Element strategies contained in this Plan by addressing the County's emerging land use policy concerns with innovative planning concepts. Increased residential and commercial sprawl and automobile-dominated transportation networks have created demand for innovative planning and zoning techniques such as Form-Based Zoning District

regulations that enable the combination of land uses at densities that are sufficient to support walkability and land use diversity, and that facilitate coordinated and integrated infrastructure planning strategies.

Form-Based Zoning District regulations create predictability in the community planning process by directing the intended form and character of the specific Form-Based Zoning District, while allowing such District to naturally grow over time in response to market conditions. The Comprehensive Plan recognizes that the projected build-out time frame of any specific Form-Based Zoning District may far exceed the time frame of the current Comprehensive Plan update, and that the goal of predictability in the long-term community planning process may require the consideration of land use planning strategies not envisioned in the current Plan. Therefore, the Form-Based Zoning District provisions of the Comprehensive Plan are intended to complement the future land use recommendations incorporated in Sections 3.1.4 and 3.1.7, the growth management provisions of Section 3.1.5, and the guidelines set forth in Section 3.1.8.

3.1.8: DEVELOPMENT QUALITY (SECTION A: RURAL AREA)

- Delete the following sentence from the “Rural Guidelines” section: ~~“Planning Commission will review all applications for conformance with these criteria.”~~ Note that the reason for this proposed deletion is that there are many types of applications reviewed by the Zoning/Planning Department (applications for zoning permits, clearing and grubbing permits, etc.) that should not be subject to these criteria or to Planning Commission review.
- Change Rural Guideline 3 to read:
Develop gross densities at the higher range of the recommended future land use ~~only~~ when Conservation Design is used to offset the provision of significant amounts of permanently protected ~~open spaces or agricultural~~ land. (See Conservation Design Toolbox in Appendix A).
- Add a new Rural Guideline 4 (and renumber the rest of the Rural Guidelines accordingly):
Develop gross densities at or above the maximum densities recommended in the future land use categories when Planned Development Zoning Districts, Form-Based Zoning Districts, and/or Developments of County Significance are found to be consistent with the Elements contained in this Plan and the requirements of the Zoning and Land Development Regulations Ordinance.
- Change Rural Guideline 20 (will become Rural Guideline 21) to read:
“Obtain approval of a Comprehensive Plan amendment for the purposes of amending the Community Facilities Element and the **County’s** 208 Wastewater Service Areas Map and a 208 Water Quality Management Plan amendment...”
- Change Rural Guideline 22 (will become Rural Guideline 23) to read:
Meet the requirements for Developments of County Significance, as contained in Chapter 3.9, Priority Investment, Implementation, and Coordination Element.

Developments of County Significance are defined as **proposed** developments **that (1) have a gross acreage equal to or exceeding 1,000 acres, or greater (2) are** located in the Rural Area **of the County, and (3) may not be entirely in compliance with all recommendations of this Plan, including density recommendations** **may be considered consistent with the recommendations of this Plan if they comply with the criteria and requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance.**

Chapter 3.2 Economic Development Element

3.2.4: ECONOMIC DEVELOPMENT ELEMENT STRATEGIES AND TIME FRAMES

- Change existing Economic Development Element Strategy ED 6 to read:
ED 6. Focus Rural Area economic development efforts on agri-tourism and ~~businesses/services~~ **other employment opportunities** that provide jobs for the local population **and promote community sustainability.**

- Insert the following new implementation strategy:
ED 15. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to authorize the combination of land uses within communities, including land uses that facilitate economic development opportunities within and in close proximity to such communities.

Chapter 3.3 Natural Resources Element

3.3.3: NATURAL RESOURCES ELEMENT GOAL

Natural Resources Element Needs

- Insert the following new Natural Resources Element Need:
 - **Allowing compact land use patterns to help minimize the fragmentation of natural resources.**

3.3.4: Natural Resources Element Strategies and Time Frames

- Insert the following new implementation strategy:
NR 13. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to authorize the combination of land uses in compact development patterns.

Chapter 3.4 Cultural Resources Element

3.4.4: CULTURAL RESOURCES ELEMENT STRATEGIES AND TIME FRAMES

Section 3.4.4: Cultural Resources Element Strategies and Time Frames

- Insert the following new implementation strategy:
CR 12. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to promote and protect cultural and archaeological resources.

Chapter 3.5 Population Element

3.5.3: POPULATION ELEMENT GOAL

Population Element Needs

- Insert the following new Population Element Need:
 - ***Encouraging diversity within communities.***

3.5.4: POPULATION ELEMENT STRATEGIES AND TIME FRAMES

- Insert the following new implementation strategy:

P 6. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations that focus on the form and mix of land uses in land use plans to support diverse communities.

Chapter 3.6 Housing Element

3.6.4: HOUSING ELEMENT STRATEGIES AND TIME FRAMES

- Change Housing Element Strategy “H 8” to read:

Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to promote mixed use developments with diverse housing options in walking distance to services, and retail, and employment opportunities. in the Urban/Suburban Area through the future land use plan and Zoning and Land Development Regulations Ordinance.

Chapter 3.7 Transportation Element

3.7.4: TRANSPORTATION ELEMENT STRATEGIES AND TIME FRAMES

- Insert the following new implementation strategies:

T 19. Base transportation plan approvals on the projected capacity of various types of transportation facilities to accommodate development of a mix of land uses over time in response to market conditions.

T 20. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to encourage flexible street design that is context-sensitive and reflects adjacent land uses.

Chapter 3.8 Community Facilities Element

3.8.3: COMMUNITY FACILITIES ELEMENT GOAL

Community Facilities Element Needs

- Insert the following new Community Facilities Element Need:
 - ***Encouraging the cost-effective provision of public facilities and services by promoting compact and mixed-use development.***

3.8.4: COMMUNITY FACILITIES ELEMENT STRATEGIES AND TIME FRAMES

- Insert the following new implementation strategies:

CF 20. Encourage public-private partnerships in infrastructure planning.

CF 21. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to authorize coordinated and integrated infrastructure planning based on compact and mixed-use land use patterns.

Chapter 3.9 Priority Investment, Implementation, and Coordination Element

3.9.3: PRIORITY INVESTMENT, IMPLEMENTATION, AND COORDINATION ELEMENT GOAL

Priority Investment, Implementation, and Coordination Element Needs

- Insert the following new Priority Investment, Implementation, and Coordination Element Need:
 - ***Responding to changes by authorizing alternatives to conventional land use and development patterns.***

3.9.4: PRIORITY INVESTMENT, IMPLEMENTATION, AND COORDINATION ELEMENT STRATEGIES AND TIME FRAMES

- Insert the following new implementation strategies:

PI 16. Encourage long-term public-private partnerships in land use and infrastructure planning.

PI 17. Adopt innovative planning and zoning techniques such as Form-Based Zoning District regulations to implement the Form-Based Zoning District strategies for each Element of this Comprehensive Plan.

3.9.5: IMPLEMENTATION INITIATIVES

A. Area Specific Strategic Planning: Developments of County Significance

- Amend the current Sections as follows (proposed text appears in ***bold italics*** and deleted text appears with ~~double strikethrough~~):

Developments of County Significance

Developments of County Significance are defined as proposed developments ***that (1) have a gross acreage equal to or exceeding 1,000 acres, or greater (2) are located in the Rural Area of the County, and (3) that may be considered consistent with the recommendations of the Comprehensive Plan if they comply with the criteria and requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance.*** ~~, while proposing variations from the recommendations of the Comprehensive Plan, including density recommendations, can be found consistent with the Comprehensive Plan under this provision.~~ The Plan recognizes that there are Rural Areas throughout the County which may at some time meet this definition and that they should be addressed through appropriate procedural requirements. The Zoning and Land Development Regulations Ordinance should be amended to establish protocol for submission requirements and review of Developments of County Significance. The following outlines an application, process, and criteria which shall be addressed in the Zoning and Land Development Regulations Ordinance.

Application

All applications for Developments of County Significance shall include a Comprehensive Plan amendment request(s) and Development Agreement request(s). Additionally, a ~~Planned Development~~ **Rezoning** application may be submitted as part of the application for Developments of County Significance. ***An application to amend the Comprehensive Plan pursuant to the Developments of County Significance process may be approved by the County Council if it determines that the proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan and the requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance.***

Process

The process shall follow the procedure required by the Charleston County Zoning and Land Development Regulations Ordinance and South Carolina State Law in terms of public hearings, notifications, time-limits, and final determinations for Comprehensive Plan Amendment requests, Development Agreement requests, ~~Planned Development~~ **Rezoning** requests, and for any change on the Zoning Map. Extensive public outreach should be required prior to the submission of an application for a Development of County Significance.

Criteria

All applications shall include documentation addressing each element of the Charleston County Comprehensive Plan and shall at a minimum include the following:

- Seventy-five percent (75%) of the land included in the application shall be either private land permanently restricted by deed restriction or conservation easement to clustered or unclustered rural densities, or other areas proposed for private and/or public ownership (e.g., parks, lakes, greenways, parkways, buffer zones, agricultural and silvicultural areas, recreational areas, preserved historic and/or cultural areas, preserved areas of biological significance), or areas to be purchased by the County's Green Belt Bank or other open space preservation organizations. ~~The footprint of the clustered rural density will be excluded from the open space calculation.~~ ***The application shall identify the amount of acreage available for clustered rural density; said acreage shall be excluded from the seventy-five percent (75%) calculation.***

Note: Reference proposed Article 3.17



COASTAL
CONSERVATION
LEAGUE

January 24, 2012

Charleston County Council
4045 Bridgeview Drive
North Charleston, SC 29405

Members of Charleston County Council,

RE: Comprehensive Plan Amendment Public Hearing

Please accept the following comments on behalf of the Coastal Conservation League regarding the proposed Comprehensive Plan Amendment Changes to support Form-Based Zoning and the ZLDR Amendments to implement Developments of County Significance. Specifically, our comments relate to how both of these amendments affect the proposed Mead WestVaco development of the East Edisto property. We have followed this closely by attending the EDART committee meetings and working with Mead WestVaco for the past few years as these discussions have matured.

We support the use of Form Based Zoning as a means to mix-land uses and support context-sensitive development from the rural to urban areas of the county. If done correctly, we feel that Form Based Zoning can strengthen rural areas by assuring land uses, setbacks, building size and complimentary transportation and utility needs are designed to fit rural communities. Conversely, urban transect prescriptions within the form-based code can enhance our urban and developed areas by promoting a mix of uses, enhancing pedestrian access, addressing parking needs and other development and zoning issues. Each application of form-based zoning should be reviewed for its consistency with the comprehensive plan and vision for Charleston County.

Secondly, we support the provision for Developments of Countywide Significance (DCS) in the Zoning and Land Development Regulations. We agree that the large tracts of land that would qualify for this designation in the rural area need special treatment to ensure the protection and thoughtful use of rural land. The language for Developments of County Significance is a great start at addressing these areas.

We understand these areas require special attention due to their large size and location outside the Urban Growth Boundary. The threshold of 1000 acres is appropriate and the protection of 75% of the property is significant and important for Charleston County. This change specifies that 75% of the property shall either be private land kept as open space through a conservation easement or public land for recreation, agriculture, parks and similar uses. This is an important requirement: since these developments are in the rural areas, the 75% assures the integrity of

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the surrounding rural land uses and allows for thoughtful, clustered development within the remaining 25% percent rather than a non-descript sprawl throughout the entire tract. Protecting 75% of the property supports the goals of the comprehensive plan and should be done sincerely, not just with a density restriction that could be changed at a later date but as part of the entire development agreement for 'Developments of County Significance'.

With regards to the East Edisto development agreement specifically, we believe that as a condition for their suitability as a DCS, they should make a permanent commitment to this rural area and protect 75% of their property with easements, preferably with a local land trust. This property has a great potential to connect the ACE Basin and Ashley River Historic District with meaningful land protection.

Thank you for your consideration,

Respectfully submitted,



Kate Parks
Coastal Conservation League

2.

Developments of County Significance

FEBRUARY 2, 2012 PLANNING & PUBLIC WORKS COMMITTEE

**ZLDR TEXT AMENDMENT HISTORY:
PROPOSED AMENDMENTS TO THE ZONING AND LAND DEVELOPMENT REGULATIONS
ORDINANCE (ZLDR)—ARTICLES 3.17, DEVELOPMENTS OF COUNTY SIGNIFICANCE, &
CHAPTER 12, DEFINITIONS**

Purpose of Proposed Amendments:

The purpose of the proposed amendments is to implement the Developments of County Significance provisions contained in the Comprehensive Plan

Planning Commission Meeting – December 12, 2011

Planning Commission Recommendation: Approval (Vote: 9 to 0)

Speakers in opposition: 0

Speakers in support: 0

(Note: Mac Baughman, with MeadWestvaco, spoke regarding these amendments.)

Planning Commission Meeting History:

- The proposed text amendments were previously discussed at the Dec. 13, 2010 and Feb. 14, 2011 Planning Commission meetings; they were taken back to the Planning Commission in Dec. 2011 for a recommendation on a necessary text change.
- These amendments, along with the Comprehensive Plan amendments for Form-Based Zoning, were held back from previous public hearings in order to bundle them together with the ZLDR amendments to incorporate a Form-Based Zoning District. The ZLDR amendments for Form-Based Zoning are underway and should be brought to the Planning Commission for consideration in the near future after the consultants have prepared the draft ordinance language.

Planning Commission Meeting Notifications:

Planning Commission meetings were advertised in the Post & Courier and all persons on the Comprehensive Plan/ZLDR Community Interest List and all municipalities were notified by letter.

Public Hearing – January 24, 2012

Speakers in opposition: 0

Speakers in support: 1

- *Kate Parks, with the SC Coastal Conservation League, spoke in favor of these amendments. She also submitted a letter of support.*

Note: The Chairman had questions regarding the business park that is part of the proposed East Edisto development; Ken Seeger and Mac Baughman, both with MeadWestvaco, answered Council's questions.

Public Hearing Notifications:

The Public Hearing was advertised in the Post & Courier on Dec. 23, 2011 and all persons on the Comprehensive Plan/ZLDR Community Interest List and all municipalities were notified by email/letter on Dec. 22, 2011.

CHAPTER/ARTICLE/SECTION #: Article 3.17 (Developments of County Significance)

REASON FOR AMENDMENT: Incorporate application requirements, process and criteria for “Developments of County Significance” to implement the Comprehensive Plan.

DATE: December 12, 2011

REVISION DATE(S): September 30, 2010
October 27, 2010
November 17, 2010
December 3, 2010
December 10, 2010
December 13, 2010

PROPOSED AMENDMENT:

ARTICLE 3.17 DEVELOPMENTS OF COUNTY SIGNIFICANCE

§3.17.1 PURPOSE AND INTENT

The Comprehensive Plan contains four Major Implementation Initiatives for the County to implement some of the strategies recommended in the Comprehensive Plan. The purpose and intent of this Article is to implement one such initiative, Developments of County Significance, in order to ensure that planning in the Rural Area, as defined in the Charleston County Comprehensive Plan, is compatible with the surrounding rural and agricultural character and is coordinated with the provision of public facilities and transportation initiatives as well as with adjacent jurisdictions. This Article establishes the procedures for submission requirements and review of requests for Developments of County Significance, as defined in the Charleston County Comprehensive Plan and the Zoning and Land Development Regulations Ordinance, and includes the application, process, and criteria as outlined in the Charleston County Comprehensive Plan.

§3.17.2 APPLICABILITY

This Article applies to Developments of County Significance, which are defined as proposed developments that: (1) have a gross acreage equal to or exceeding 1,000 acres, (2) are located in the Rural Area of the County, and (3) may be considered consistent with the recommendations of the Comprehensive Plan if they comply with the criteria and requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance. Upon approval, the Development of County Significance will be considered consistent with the Comprehensive Plan.

§3.17.3 APPLICATION AND PROCESS

- A. Development of County Significance Applications (“Application”) may be submitted on forms available in the Planning Department once the Planning Director has determined that the Application complies with the requirements of this Ordinance and all other applicable regulations.**

B. Developments of County Significance Applications shall require:

- 1. A Comprehensive Plan Amendment application(s) that complies with the requirements of Article 3.2, Comprehensive Plan Amendments, of this Ordinance, and a narrative description of how the application at the time of submission may not be in full compliance with the comprehensive plan, however upon approval, the application will be consistent with the Comprehensive Plan. Comprehensive Plan Amendment applications and narrative descriptions of consistency shall include documentation addressing each element of the Comprehensive Plan. Comprehensive Plan Amendment application(s) shall be submitted when a rezoning application is included as part of the Developments of County Significance application.**
- 2. A Development Agreement application submitted to Charleston County.**
- 3. Zoning Map Amendment [Rezoning] applications, including but not limited to applications for Planned Development Zoning Districts and Form-Based Zoning Districts, which comply with the applicable sections of this Ordinance may be submitted in conjunction with a Development of County Significance Application, where applicable.**
- 4. Payment of all required application fees for Development Agreements, Zoning Map Amendments [Rezoning], and Comprehensive Plan Amendments and submission of thirty-five (35) copies and one (1) digital version.**
- 5. All information required by this Article.**

C. Comprehensive Plan Amendment applications, Development Agreement applications, and any Zoning Map Amendment [Rezoning] applications, including but not limited to applications for Planned Development Zoning Districts and Form-Based Zoning Districts, submitted in conjunction with a Development of County Significance Application shall be considered concurrently and shall comply with the applicable processes contained in County Ordinances.

§3.17.4 CRITERIA AND REQUIRED INFORMATION

- A. At the time of submittal, the Application shall include the information addressing the Comprehensive Plan criteria for Developments of County Significance in the Zoning Map Amendment [Rezoning] application and the Development Agreement application as set forth in Sections 3.17.4.A.1. through 3. The approval of a Zoning Map Amendment [Rezoning] application and a Development Agreement application pursuant to the provisions of this Article 3.17 shall conclusively establish compliance by the applications so approved with the Developments of County Significance criteria of the Comprehensive Plan and this Ordinance, and no subsequent development of the property shall be**

subject to any provision of the Comprehensive Plan or this Ordinance regarding Developments of County Significance during the term of the approved Development Agreement.

1. The Zoning Map Amendment [Rezoning] application for any zoning district other than a Form-Based Zoning District shall include the information required in the following Sections 3.17.4.A.1.a—i

- a. Documentation demonstrating that seventy-five percent (75%) of the acreage (75% acreage) included in the Application shall be in the form of Common Open Space, as defined in this Ordinance, that complies with the requirements of Section 4.27.7, Common Open Space.
- b. An analysis of how the proposed form and character of development is compatible with the intent of the Rural Area guidelines;
- c. An analysis of how proposed residential land use patterns are coordinated with employment and service opportunities in the area of the proposed development and adjacent areas of the County or other jurisdictions;
- d. A historic and archaeological resource study including documentation demonstrating the preservation, mitigation, and/or management of resources pursuant to the findings of the study;
- e. A traffic impact study;
- f. Documentation that the proposed development includes an interconnected and complete transportation network;
- g. An analysis of public transit alternatives;
- h. Documentation that the proposed development provides feasible transportation alternatives; and
- i. Emergency evacuation plans.

2. The Zoning Map Amendment [Rezoning] application to Form-Based Zoning District shall include Sections 3.17.4.A.2.a. through c.

- a. Documentation demonstrating that seventy-five percent (75%) of the acreage (75% acreage) included in the Application shall be either private land permanently restricted by deed restriction or conservation easement to unclustered rural densities, or other areas proposed for private and/or public ownership (e.g., parks, lakes, greenways, parkways, buffer zones, agricultural and silvicultural areas, recreational areas,

preserved historic and/or cultural areas, preserved areas of biological significance), or areas to be purchased by the County's Green Belt Bank or other open space preservation organizations. The number of unclustered rural dwelling units allowed in the 75% acreage is determined by multiplying the underlying zoning density at the time of the application times the number of acres in the 75% acreage. The 75% acreage is not required to be contiguous and will be developed in accordance with the Form-Based Zoning District regulations submitted with this application for unclustered growth. Areas of clustered growth will be developed in accordance with the Form-Based Zoning District regulations submitted with this application and can be surrounded by the 75% acreage ;

- b. An analysis of how the proposed form and character of development is compatible with the intent of the Rural Area guidelines;
- c. An analysis of how proposed residential land use patterns are coordinated with employment and service opportunities in the area of the proposed development and adjacent areas of the County or other jurisdictions;

Information required in Sections 3.17.4.A.2.d. through i. shall be addressed in the procedures and regulations submitted as part of the Form-Based Zoning District regulations submitted as part of this application for the entitlement approvals for land development within the specific Form-Based Zoning District. Such procedures and regulations approved as part of the Form-Based Zoning District Rezoning shall be applicable to all development within such Form-Based Zoning District, and compliance with such procedures and regulations shall constitute compliance with the Developments of County Significance requirements.

- d. A historic and archaeological resource study including documentation demonstrating the preservation, mitigation, and/or management of resources pursuant to the findings of the study;
- e. A traffic impact study;
- f. Documentation that the proposed development includes an interconnected and complete transportation network;
- g. An analysis of public transit alternatives;
- h. Documentation that the proposed development provides feasible transportation alternatives; and
- i. Emergency evacuation plans.

3. The Development Agreement application shall include the information required in the following Sections 3.17.4.A.3.a—f; provided, however that at its sole discretion, County Council may forward the information submitted pursuant to this Section 3.17.4.A.3 to Planning Commission for informational purposes only.

a. Inclusion of a variety of housing ownership types and affordability;

b. Documentation demonstrating strategy for preservation, mitigation, and/or management of significant cultural, historic, and archaeological sites, resources, and landscapes;

c. Information regarding the location, density, and intensity of proposed land uses for the first five (5) years of the proposed project and projections for each subsequent five (5) year time period until buildout;

d. Economic development information such as an economic analysis (e.g., estimates of average annual ad valorem tax yields, economic development analysis) of the impact of the proposed development on the local economy and employment market;

e. A fiscal impact analysis of the infrastructure needs; and

f. A list of needed and/or required public improvements including but not limited to transportation improvements, educational facilities, public safety services, and government facilities.

4. The Planning Commission may require additional information on the items submitted pursuant to Sections 3.17.4.A.1. and 2. as reasonably necessary to determine whether the application complies with the requirements of County Ordinances.

§3.17.5 NOTICE OF DECISION AND MAPPING OF APPROVED DEVELOPMENTS OF COUNTY SIGNIFICANCE

Following final action by the County Council, the Planning Director shall be responsible for providing the applicant with written notice of the County Council final decision(s) and for revising Comprehensive Plan text and/or maps and the Official Zoning Map, where applicable. Upon approval, the Development of County Significance will be considered consistent with the Comprehensive Plan.

CHAPTER/ARTICLE/SECTION #: Article 12 (Definitions)

REASON FOR AMENDMENT: Amend the definition of Developments of County Significance provisions to be consistent with the new Comprehensive Plan Definition.

DATE: Dec. 12, 2011

PROPOSED AMENDMENT:

TERM	DEFINITION
Developments of County Significance	<p><i>Proposed d</i>Developments <i>that: (1) have a gross acreage equal to or exceeding 1,000 acres, (2) are located in the Rural Area of the County, and (3) may be considered consistent with the recommendations of the Comprehensive Plan if they comply with the criteria and requirements of the Developments of County Significance provisions contained in the Comprehensive Plan and Zoning and Land Development Regulations Ordinance.</i> or greater located in the Rural Area of Charleston County that, while proposing variations from recommendations of the Charleston County Comprehensive Plan, including density recommendations, may be deemed consistent with the Comprehensive Plan under the provisions of Article 3.17, Developments of County Significance.</p>



COASTAL
CONSERVATION
LEAGUE

January 24, 2012

Charleston County Council
4045 Bridgeview Drive
North Charleston, SC 29405

Members of Charleston County Council,

RE: Comprehensive Plan Amendment Public Hearing

Please accept the following comments on behalf of the Coastal Conservation League regarding the proposed Comprehensive Plan Amendment Changes to support Form-Based Zoning and the ZLDR Amendments to implement Developments of County Significance. Specifically, our comments relate to how both of these amendments affect the proposed Mead WestVaco development of the East Edisto property. We have followed this closely by attending the EDART committee meetings and working with Mead WestVaco for the past few years as these discussions have matured.

We support the use of Form Based Zoning as a means to mix-land uses and support context-sensitive development from the rural to urban areas of the county. If done correctly, we feel that Form Based Zoning can strengthen rural areas by assuring land uses, setbacks, building size and complimentary transportation and utility needs are designed to fit rural communities. Conversely, urban transect prescriptions within the form-based code can enhance our urban and developed areas by promoting a mix of uses, enhancing pedestrian access, addressing parking needs and other development and zoning issues. Each application of form-based zoning should be reviewed for its consistency with the comprehensive plan and vision for Charleston County.

Secondly, we support the provision for Developments of Countywide Significance (DCS) in the Zoning and Land Development Regulations. We agree that the large tracts of land that would qualify for this designation in the rural area need special treatment to ensure the protection and thoughtful use of rural land. The language for Developments of County Significance is a great start at addressing these areas.

We understand these areas require special attention due to their large size and location outside the Urban Growth Boundary. The threshold of 1000 acres is appropriate and the protection of 75% of the property is significant and important for Charleston County. This change specifies that 75% of the property shall either be private land kept as open space through a conservation easement or public land for recreation, agriculture, parks and similar uses. This is an important requirement: since these developments are in the rural areas, the 75% assures the integrity of

"Nature and Community in Balance"

the surrounding rural land uses and allows for thoughtful, clustered development within the remaining 25% percent rather than a non-descript sprawl throughout the entire tract. Protecting 75% of the property supports the goals of the comprehensive plan and should be done sincerely, not just with a density restriction that could be changed at a later date but as part of the entire development agreement for 'Developments of County Significance'.

With regards to the East Edisto development agreement specifically, we believe that as a condition for their suitability as a DCS, they should make a permanent commitment to this rural area and protect 75% of their property with easements, preferably with a local land trust. This property has a great potential to connect the ACE Basin and Ashley River Historic District with meaningful land protection.

Thank you for your consideration,

Respectfully submitted,



Kate Parks
Coastal Conservation League