AGENDA
PLANNING/PUBLIC WORKS COMMITTEE
July 9, 2020
5:00 PM

1. MINUTES OF MAY 28, 2020 - Request to Consider

2. ZREZ-01-20-00111, 1381, 1385 and 1389 River Road, Johns Island - Request to Consider Tuten/Evans

3. ZREZ-02-20-00112, Bees Ferry Road Billboard, West Ashley - Request to Consider Tuten/Evans
1. MINUTES
TO: Members of Planning/Public Works Committee

FROM: Kristen Salisbury, Clerk of Council

DATE: July 2, 2020

SUBJECT: Planning/Public Works Committee Minutes

At the Planning/Public Works Committee meeting of July 9, 2020, the draft minutes of the May 28, 2020, Planning/Public Works Committee meeting will be presented for approval.
2.

ZREZ-01-20-00111
1381, 1385 and
1389 River Road,
Johns Island
PLANNED DEVELOPMENT REQUEST:
ZREZ-01-20-00111

- Case History
- Presentation
- PD Documents
- Application
ZREZ-01-20-00111: Case History

Planning Commission: March 9, 2020
Public Hearing: June 18, 2020
Planning and Public Works Committee: July 9, 2020
First Reading: July 14, 2020
Second Reading: August 11, 2020
Third Reading: September 8, 2020

CASE INFORMATION

Applicant: Levi Grantham, LLC
Owner: Knapp A Partnership
Location: 1381, 1385, and 1389 River Road, Johns Island, SC 29455
Parcel Identification: 311-00-00-025 & 311-00-00-097
Council District: 8 (Johnson)
Property Size: 11.861 acres (9.914 acres highland, 1.947 acres below Critical Line)

Application: The applicant is requesting to rezone TMS 311-00-00-025 and TMS 311-00-00-097 from R-4 to Planned Development (PD-174), Murray Creek, to allow for a residential development consisting of Single-Family Dwellings, Common Open Space, and a Micro-Farm.

Zoning History: TMS 311-00-00-025 was zoned RR-3 on the 1994 Tax Maps. Parcel 311-00-00-097 was created in 1998 from a subdivision of TMS 311-00-00-025. The subject properties were both zoned Low-Density Residential (RSL) in 2001, and were subsequently zoned Single-Family Residential (R-4) in 2006.

Adjacent Zoning: Properties to the east are zoned R-4 and contain single-family dwellings. The property to the west is zoned R-4 and is currently undeveloped. Properties to the south are within the City of Charleston and are zoned PUD and RR-1.

Overview of Requested PD Guidelines
The applicant is requesting to rezone TMS 311-00-00-025 and TMS 311-00-00-097 from R-4 to Planned Development (PD-174), Murray Creek, to allow for a residential development consisting of Single-Family Dwellings, Common Open Space, and a Micro-Farm. Specifically, PD-174 requests the following:

• Maximum of 39 lots for single-family dwellings and accessory structures; with a minimum lot size of 4,500 square feet and 10’ rear setbacks (R-4 allows for 39 SFRs (with highland acreage of 9.9 acres), 7,250 square foot lot size, and 15’ rear setback);
• All other dimensional standards in compliance with the R-4 standards of the ZLDR;
• Minimum 0.25-acre Micro Farm, allowed uses include: local agricultural sales and or production; structures and facilities related to farming operations (raised garden beds, hoop houses, greenhouses, storage buildings, wash stations, and farm stand);
• Common areas, which could include one community, dock, pavilions, picnic areas, fire pits, and sitting areas; and
• Property Owner’s Association to establish an ARB and maintain or manage the common area, facilities, and micro farm.
Municipalities Notified/Response: The City of North Charleston, Town of James Island, Town of Kiawah Island, Berkeley County, City of Charleston, City of Folly Beach, City of Isle of Palms, Colleton County, Town of Awendaw, Town of Hollywood, Town of Lincolnville, Town of McClellanville, Town of Meggett, Town of Mt. Pleasant, Town of Ravenel, Town of Seabrook Island, and the Town of Summerville have all been noticed of this request.

Public Input: No public input has been received for this request.

### APPROVAL CRITERIA

According to Section §4.23.9(E)(9) of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

A. The PD Development Plan complies with the standards contained in this Article;

Staff response: The PD complies with the standards contained in this Article.

B. The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents; and

Staff response: The Future Land Use designation for this parcel is Urban/Suburban Mixed Use. A residential development of single-family dwellings is consistent with the intent of this Future Land Use designation. In addition, the proposed development meets the density requirements for the R-4 Zoning District. However, the PD guidelines call for a reduction in the rear setback requirements, which is not in compliance with ZLDR Sec.4.26.B.1.a, which states: “Each lot located on the perimeter of the planned development shall maintain the rear yard setback requirements and any buffer requirements of the adjacent zoning district.” The rear yard setback of the R-4 zoning district is 15’; the PD application proposes a rear yard setback of 10’.

C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

Staff Response: The County and other agencies will be able to provide services to the proposed development pursuant to the letters of coordination submitted by the applicant.

Because the Planned Development application meets all of the criteria of Section §4.23.9 E (9), staff recommends approval with conditions.

Staff Recommended Condition of Approval:
- Revise the rear setback for single-family residential lots from 10’ to 15’.

### PLANNING COMMISSION MEETING: March 9, 2020

Recommendation: Approval with Conditions (5-4).

Planning Commission Recommended Conditions of Approval:
- Residential lots along the exterior of the development shall have a minimum rear setback of 15’ and interior lots shall have a minimum 10’ rear setback.
- Provide a stub out for connectivity to the adjoining parcel to the East.

Speakers: The applicant, Bill Eubanks, spoke in support of the project. The Coastal Conservation League
spoke in opposition.

Notifications: 197 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties Lists on February 21, 2020. Additionally, this request was noticed in the *Post & Courier* on February 21, 2020.

**PUBLIC HEARING: JUNE 18, 2020**

Notifications: 197 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties Lists on May 29, 2020. Additionally, this request was noticed in the *Post & Courier* on May 29, 2020.

The public hearing for this case was originally scheduled for April 17, 2020, but postponed due to COVID-19. 197 notification letters were originally sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties Lists on March 13, 2020. This request was originally noticed in the *Post & Courier* on March 13, 2020. 197 additional letters were sent to the same list of individuals to notify them of the cancellation on March 27, 2020, and the cancellation was noticed in the *Post & Courier* on March 27, 2020.
Charleston County Planned Development Request

Public Hearing: June 18, 2020
Planning and Public Works Committee: July 9, 2020
First Reading: July 14, 2020
Second Reading: August 11, 2020
Third Reading: September 8, 2020
ZREZ-01-20-00111

• 1381, 1385, and 1389 River Road, Johns Island, SC 29455

• Parcel I.D.: 311-00-00-025 & 311-00-00-097

• Acreage: 11.861 acres

• Owner: Knapp A Partnership

• Applicant: Levi Grantham, LLC

• Council District: 8- Johnson
Zoning History

- TMS 311-00-00-025 was zoned RR-3 on the 1994 Tax Maps

- Parcel 311-00-00-097 was created in 1998 from a subdivision of TMS 311-00-00-025

- The subject properties were both zoned Low-Density Residential (RSL) in 2001

- Zoned Single-Family Residential (R-4) in 2006
Map 3.1.5: Urban/Suburban Future Land Use Detail
Charleston County Comprehensive Plan
Adopted November 18, 2008
Amended December 22, 2009

Subject Property
Penny's Creek borders the subject properties on the north. Properties to the east are zoned R-4 and contain Single-Family Dwellings. The property to the west is zoned R-4 and is currently undeveloped. Properties to the south are within the City of Charleston and are zoned PUD and RR-1.
City of Charleston Zoning

Subject parcels:
- Conservation District C
- Rural Residential District RR-1
- Single Family Residential SR-1
Aerial View to the North
Aerial View to the South
FUTURE LAND USE RECOMMENDATION
CASE# ZREZ-01-20-00111
TMS# 311-00-00-025 & 311-00-00-097

LEGEND

Subject Properties
Parcel Boundaries
FUTURE LAND USE RECOMMENDATION
Urban Suburban Mixed Use
Municipal Boundaries
City of Charleston
1- Existing mobile home on TMS-097

2- Existing house at rear of TMS-025
Site Photos

3- Existing dock on TMS-097

4- Existing access from River Road
PD-174 Requested Guidelines

The applicant is requesting to rezone TMS 311-00-00-025 and TMS 311-00-00-097 from R-4 to Planned Development (PD-174), Murray Creek, to allow for a residential development consisting of Single-Family Dwellings, Common Open Space, and a Micro-Farm. Specifically, PD-174 requests the following:

• Maximum of 39 lots for single-family dwellings and accessory structures; with a minimum lot size of 4,500 square feet and 10’ rear setbacks (R-4 allows for 39 SFRs (with highland acreage of 9.9 acres), 7,250 square foot lot size, and 15’ rear setback);
• All other dimensional standards in compliance with the R-4 standards of the ZLDR;
• Minimum 0.25-acre Micro Farm, allowed uses include: local agricultural sales and or production; structures and facilities related to farming operations (raised garden beds, hoop houses, greenhouses, storage buildings, wash stations, and farm stand);
• Common areas, which could include one community dock, pavilions, picnic areas, fire pits, and sitting areas; and
• Property Owner’s Association to establish an ARB to maintain and manage the common area, facilities, and micro farm.
According to Section §4.23.9(E)(9) of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

A. The PD Development Plan complies with the standards contained in this Article;  
Staff response: The PD complies with the standards contained in this Article.

B. The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents; and  
Staff response: The Future Land Use designation for this parcel is Urban/Suburban Mixed Use. A residential development of single-family dwellings is consistent with the intent of this Future Land Use designation. In addition, the proposed development meets the density requirements for the R-4 Zoning District. However, the PD guidelines call for a reduction in the rear setback requirements, which is not in compliance with ZLDR Sec.4.26.B.1.a, which states: “Each lot located on the perimeter of the planned development shall maintain the rear yard setback requirements and any buffer requirements of the adjacent zoning district.” The rear yard setback of the R-4 zoning district is 15’; the PD application proposes a rear yard setback of 10’.
According to Section §4.23.9(E)(9) of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

*Staff Response: The County and other agencies will be able to provide services to the proposed development pursuant to the letters of coordination submitted by the applicant.*
Recommendations

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS
Staff Condition: Revise the rear setback for single-family residential lots from 10’ to 15’.

PLANNING COMMISSION RECOMMENDATION: APPROVAL WITH CONDITIONS (5-4)
PC Conditions:
• Residential lots along the exterior of the development shall have a minimum rear setback of 15’ and interior lots shall have a minimum 10’ rear setback.
• Provide a stub out for connectivity to the adjoining parcel to the East.
Notifications

• Notifications for the March 9, 2020 Planning Commission meeting were sent on February 21, 2020.
  – 197 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List.
  – Ad ran in the Post & Courier.

• Notifications for the April 17, 2020 Public Hearing (POSTPONED DUE TO COVID-19) were sent on March 13, 2020.
  – 197 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List.
  – Ad ran in the Post & Courier.
  – 197 letters to notify the same list of individuals of the cancellation were sent on March 27, 2020.
  – Ad regarding the cancellation ran in the Post & Courier.

• Notifications for the June 18, 2020 Public Hearing were sent on May 29, 2020
  – 197 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the Johns Island Interested Parties List.
  – Ad ran in the Post & Courier.
Charleston County
Planned Development Request

Public Hearing: June 18, 2020
Planning and Public Works Committee: July 9, 2020
First Reading: July 14, 2020
Second Reading: August 11, 2020
Third Reading: September 8, 2020
3.

ZREZ-02-20-001112, Bees Ferry Road Billboard, West Ashley
PLANNED DEVELOPMENT REQUEST:

ZREZ-02-20-00112

- Case History
- Presentation
- PD Documents
- Public Input
- Application
CASE INFORMATION

Applicant: Derek Arsenault, Adams Outdoor Advertising

Owner: Henry Kuznik

Location: Bees Ferry Road, West Ashley

Parcel Identification: 301-00-00-038

Application: Request to rezone 0.34 acre from the Industrial (I) Zoning District to the Planned Development, PD-175, Bees Ferry Road Sign, for placement of a digital billboard.

Council District: 6 (Rawl)

Property Size: 37.79 total acres, to be subdivided to 0.34 acre upon PD approval

Zoning History: The subject property was zoned IL (Light Industrial) on the 1994 Tax Maps, and was subsequently zoned Industrial (I) in 2001. A previous rezoning request on this property proposed rezoning from Industrial (I) to Planned Development, PD-172, Bees Ferry Road Sign, to allow for the placement of a billboard. Planning Commission recommended Approval with Conditions at their October 14, 2019 meeting, with the condition reading, “address all subdivision comments no later than the close of business on the Public Hearing date.” County Council disapproved of this request at their January 21, 2020 meeting, but voted to waive the one-year waiting period for re-application. Council discussed the possibility of the property owner recording a deed restriction to limit the number of billboards allowed on his properties to one; however, that must be done separate and apart from the Planned Development. The current PD-175 application is the exact same application as the previously disapproved PD-172.

Adjacent Zoning: The subject property is currently undeveloped. The properties to the north, east and south are zoned Industrial and contain the Charleston County Landfill, St. Andrews PSD service facility, a campground, or are undeveloped. The property to the west is a Planned Development (PD-73C, Hunt Club) containing single-family dwellings and neighborhood facilities. There is a City of Charleston subdivision adjacent to the subject parcel containing single-family dwellings.

Overview of Requested PD Guidelines:
The applicant is requesting to rezone from Industrial to PD-175, Bees Ferry Road Sign, to allow for the placement of a digital billboard. Specifically, PD-175 requests the following:

- One (1) digital, LED lit, billboard, lighting in compliance with ZLDR Art. 9.11.5 (F)
- Maximum height of 35’
- Maximum area of 300 square feet (25’ x 12’)
- 5’ right-of-way setback to protect additional trees
- Location criteria: Minimum 88’ from all on-premises signs (Charleston County Landfill sign) and 1,000 feet from all existing off-premise signs.
- Natural vegetative buffer in compliance with Article 9.4 with exception of removal of 10 trees located within the buffer and all other vegetation to be trimmed to a height of 6 feet.
Municipalities Notified/Response: The Town of Summerville, Town of Sullivan’s Island, Town of Seabrook Island, Town of Ravenel, Town of Mt Pleasant, Town of Meggett, Town of McClellanville, Town of Lincolnville, Town of Kiawah Island, Town of James Island, Town of Hollywood, Town of Awendaw, City of North Charleston, City of Isle of Palms, City of Folly Beach, City of Charleston, and Colleton County were notified of the request and have not responded.

**STAFF RECOMMENDATION**

According to Section §4.23.9 E (9) of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

A. The PD Development Plan complies with the standards contained in this Article;

   **Staff Response:** The PD complies with the standards contained in this Article.

B. The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents;

   **Staff Response:** Article 9.11 of the ZLDR specifies that signs must be placed 500’ from the next on-premises sign. However, Article 4.23.6.(1), states “Specifications shall be as restrictive, or more restrictive than the standards set forth in this Ordinance; provided, however, that the minimum distance from a Billboard/Digital Billboard proposed as part of a planned development to the nearest on-premises sign(s) may be less restrictive than the standards set forth in this Ordinance.”

   Additionally, the digital billboard use is allowed in the current Industrial Zoning District, and in return for the modification of the setback requirements, the applicant has requested a smaller sign than what is allowed in the Industrial Zoning District (proposed 25’ x 12’, 300 sq. ft. vs. 48’ x 14’, 672 sq. ft. allowed), and a shorter sign (35’ proposed vs. 40’ allowed).

C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.

   **Staff Response:** The County and other agencies will be able to provide services to the proposed development pursuant to the letters of coordination submitted by the applicant.

   Because the Planned Development application meets all of the criteria of Section §4.23.9 E (9), staff recommends approval.

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**PLANNING COMMISSION MEETING: MARCH 9, 2020**

Recommendation: Disapproval (7-2).

Speakers: The applicant, Derek Arsenault, spoke in support of the project. Three citizens spoke in opposition.

Public Input: 15 letters of opposition have been received from community members. A letter from South Carolina State Senator Sandy Senn addressing County Council and including a change.org petition with approximately 1,221 signatures was received by Planning staff on February 27, 2020.

Notifications: 135 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St. Andrews Interested Parties List on February 21, 2020. Additionally, this request was noticed in the Post & Courier on February 21, 2020.
Notifications: 135 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St. Andrews Interested Parties List on May 29, 2020. Additionally, this request was noticed in the *Post & Courier* on May 29, 2020.

The public hearing for this case was originally scheduled for April 17, 2020, but postponed due to COVID-19. 135 notifications letters were originally sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St. Andrews Interested Parties Lists on March 13, 2020. This request was originally noticed in the *Post & Courier* on March 13, 2020. 135 additional letters were sent to the same list of individuals to notify them of the cancellation on March 27, 2020, and the cancellation was noticed in the *Post & Courier* on March 27, 2020.
Charleston County
Planned Development Zoning Map Amendment Request

Public Hearing: June 18, 2020
Planning and Public Works Committee: July 9, 2020
First Reading: July 14, 2020
Second Reading: August 11, 2020
Third Reading: September 8, 2020
PD-175 Bees Ferry Road Sign

- West Ashley Area: Bees Ferry Road
- Parcel I.D.: 301-00-00-038
- Owner: Henry Kuznik
- Applicant: Adam’s Outdoor Advertising
- Property Size: 0.34 acres (37.79 total)
- Council District: 6
Zoning History

- Property was zoned IL on the 1994 tax maps, and subsequently zoned Industrial in 2001.
- Previous rezoning request on this property proposed rezoning from Industrial to PD-172, Bees Ferry Road Sign, to allow for the placement of a Billboard
  - Planning Commission recommended Approval with Conditions at their October 14, 2019 meeting, with the condition reading, “address all subdivision comments no later than the close of business on the Public Hearing date.”
  - County Council approved at 1st and 2nd readings in Nov. and Dec. 2019, but disapproved of this request at 3rd reading on Jan. 21, 2020, but voted to waive the one-year waiting period for re-application.
  - Council discussed the possibility of the property owner recording a deed restriction to limit the number of billboards allowed on his properties to one; however, that must be done separate and apart from the Planned Development and cannot be a condition of approval of this rezoning request as the deed restriction applies to properties other than the subject parcel.
  - The current PD-175 application is the exact same application as the previously disapproved PD-172.
The subject property is currently undeveloped. The properties to the north, east and south are zoned Industrial and contain the Charleston County Landfill, St. Andrews PSD service facility, a campground, or are undeveloped. The property to the west is a Planned Development (PD-73C, Hunt Club) containing single-family dwellings and neighborhood facilities. There is a City of Charleston subdivision adjacent to the subject parcel containing single-family dwellings.
Aerial View to the North

Subject Property
Site Photos

1 – Subject Property

2 – Adjacent Property
3 – Adjacent Property

4 – Adjacent Property
PD-175 Requested PD Guidelines

Digital and Electronic billboards are allowed in the Industrial Zoning District. The PD is being requested to allow the digital billboard to be located closer to the right-of-way and existing landfill sign than the ZLDR would allow. This allows the billboard to be moved out of the wetland area, and the applicant is proposing the billboard be more than 50% smaller than the ZLDR would allow, and be 5’ shorter than the ZLDR would allow.

Specifically, PD-175 requests the following:
- One (1) digital, LED lit billboard, lighting in compliance with ZLDR Art. 9.11.5 (F) (allowed in the Industrial Zoning District)
- Maximum height of 35’ (ZLDR allows a max. height of 40’)
- Maximum area of 300 SF (25’ x 12’) (ZLDR allows a max. area of 672 SF)
- 5’ right-of-way setback to protect additional trees (ZLDR requires a 25’ setback)
- Location criteria: 88’ from all on-premises sign (Charleston County Landfill sign) and 1,000 feet from all existing off-premise signs (ZLDR requires a min. distance of 500’ from all on-premises signs)
- Natural vegetative buffer in compliance with Article 9.4 with exception of removal of 10 trees located within the buffer and all other vegetation to be trimmed to a height of 6 feet
Approval Criteria—Section 4.23.9(E)(9)

According to Section §4.23.9 E (9) of the Zoning and Land Development Regulations Ordinance (ZLDR), applications for PD Development Plans may be approved only if County Council determines that the following criteria are met:

A. The PD Development Plan complies with the standards contained in this Article;
   Staff Response: The PD complies with the standards contained in this Article.

B. The development is consistent with the intent of the Comprehensive Plan and other adopted policy documents;
   Staff Response: Article 9.11 of the ZLDR specifies that signs must be placed 500’ from the next on-premises sign. However, Article 4.23.6.(I), states “Specifications shall be as restrictive, or more restrictive than the standards set forth in this Ordinance; provided, however, that the minimum distance from a Billboard/Digital Billboard proposed as part of a planned development to the nearest on-premises sign(s) may be less restrictive than the standards set forth in this Ordinance.”

   Additionally, the digital billboard use is allowed in the current Industrial Zoning District, and in return for the modification of the setback requirements, the applicant has requested a smaller sign than what is allowed in the Industrial Zoning District (proposed 25’ x 12’, 300 sq. ft. vs. 48’ x 14’, 672 sq. ft. allowed), and a shorter sign (35’ proposed vs. 40’ allowed).

C. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed.
   Staff Response: The County and other agencies will be able to provide services to the proposed development pursuant to the letters of coordination submitted by the applicant.
STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: DISAPPROVAL
20 letters of opposition have been received from community members. Those that provided their address are shown here.
Public Input

• A letter from South Carolina State Senator Sandy Senn addressing County Council and including a change.org petition with approximately 1,221 signatures was received by Planning staff on February 27, 2020.
Notifications

• Notifications for the March 9, 2020 Planning Commission meeting were sent on February 21, 2020.
  – 135 notifications were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St. Andrews Interested Parties List.
  – Ad ran in the Post & Courier.
• Notifications for the April 17, 2020 Public Hearing (POSTPONED DUE TO COVID-19) were sent on March 13, 2020.
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  – 135 notification letters were sent to owners of property located within 300 feet of the boundaries of the subject parcel and individuals on the St. Andrews Interested Parties List.
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Charleston County
Planned Development Zoning Map Amendment Request

Public Hearing: June 18, 2020
Planning and Public Works Committee: July 9, 2020
First Reading: July 14, 2020
Second Reading: August 11, 2020
Third Reading: September 8, 2020