



Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

ZLDR Comprehensive Review and Recommendations

Charleston County, SC

Meeting of:

Historic Preservation Subcommittee

April 24, 2017




Charleston County, SC

ABOUT THE PROJECT TEAM

- Kendig Keast Collaborative | White & Smith Planning & Law
- Strategic assessments, amendments, and complete ZLDR rewrites for 300+ jurisdictions
- Multi-disciplined resources: plan writers and implementers, planners/designers, researchers, land use attorneys, modelers, illustrators, etc.
- Authors and innovators of national best practices
- Leaders in innovative regulatory provisions (resource protection; character, design-based, and composite district standards; housing palette)
- Developers of **enCodePlus™** Internet-based ZLDR publishing and content management software that includes GIS integration, development calculators, etc.



 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)

PROJECT GOALS

- Consistency with the 2015 Comprehensive Plan and 2018 Plan Update (Concurrent)
- Ensure consistency with State laws and best practices
- Draft historic preservation regulations to implement the Charleston County Historic Resources Survey Update, 2016 (Certified Local Government)
- Draft regulations to address short-term rentals
- Strengthen the linkages of the zoning districts with the future land use plan
- Review and revise the allowable land uses
- Identify improvements for streamlining development review and permitting
- Evaluate districts and lot sizes relative to availability of utilities
- Issues identified by staff
 - Housing incentives
 - Special event provisions (now permitted as Special Exception uses)
- Conduct a strategic assessment of and prepare an annotated outline for the ZLDR

 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)

THREE PHASE APPROACH

1

- Background Studies
- Strategic Assessment
- Annotated Outline
- Historic Preservation
- Short-Term Rentals
- Land Use Matrix
- Development Review Procedures
- Base Zoning Districts


2

- Interactive, Web-Based Code
- Lot Areas / Densities of Highland Areas
- Overlay Districts
- Affordable Housing
- Subdivision Requirements
- Administrative Reductions
- Definitions

3

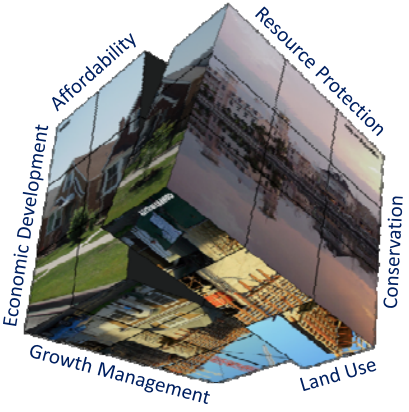

- Permitting Processes
- Revise RR-3
- PD Requirements and Processes
- Urban Agriculture
- Temporary and Accessory Uses/Events
- 208 Planning Process
- Open Space
- Requirements for Compliance

June 30

 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)

DESIRED OUTCOMES

- ✓ Intuitive organization
- ✓ Predictable and certain
- ✓ Well-articulated standards
- ✓ User-friendly; easily navigable
- ✓ Good development as a rule
- ✓ Procedural streamlining
- ✓ Multiple paths to “yes”
- ✓ Legally defensible

 *Charleston County, SC* Zoning and Land Development Regulations (ZLDR)



This Week →

- Kick-off & Coordination
- Background Study & Staff / Committee Meetings
- Strategic Assessment & Annotated Outline
- Public Meetings & Design Workshop
- Ordinance Amendments
- Online Publication
- Public Meetings
- Adoption

Zoning & Land Development Regulations





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

STRATEGIC ASSESSMENT & ANNOTATED OUTLINE

Strategic Assessment

- Results of County staff meetings, discussion with County Planning Commission and Historic Preservation and Short Term Rental Committees, and tour observations
- Integration of Comprehensive Plan policies and objectives
- Diagnostic of current ordinances
- Infusion of best practices
- Proposed regulatory strategies and key policy directions

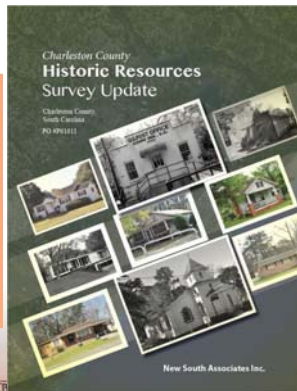
Annotated Outline

- Provides the proposed content and organization of the ZLDR
- Provides County Staff and Planning Commission opportunity to review before initiating drafting of Phases 2 and 3 ZLDR amendments

Land Use Code (LUC)	
Title: Numbering is based on the current La Plata County Code of Ordinances	
Old Section Number and Heading	Current Section Number
Subject B - Land Use Code (LUC)	
Chapter 62 - Authority, Purpose, Jurisdiction, and Application	
Subchapter 62-1 - General Provisions	
Sec. 62-1-1. Title: Short Title	New
Sec. 62-1-2. Authority	Sec. 79-22 (20A), 79-27, 79-57, 80-16, 94-88, 102-2
Sec. 62-1-3. Purpose	Sec. 79-26, 80-17, 80-18, 200-3, and New
Sec. 62-1-4. Jurisdiction	Sec. 79-21, 80-18, New
Sec. 62-1-5. Property Rights	Sec. 82-01, New
Sec. 62-1-6. Application: Development Districts - Non-District Areas	Sec. 62-2, 100-479, 100-480 Relationship to Hearing Board
Subchapter 62-2 - Effect of LUC	
Sec. 62-2-1. Enactment and Repeal	New
Sec. 62-2-2. Effective Date	New
Sec. 62-2-3. Vacated Property Rights	New
Sec. 62-2-4. Consistency with Signs	70-5, 100-114, 100-472 and plans cited within specific Sections
Sec. 62-2-5. Fractional Shares	New
Chapter 63 - Districts and Sites	
Subchapter 63-1 - Established Districts	
Sec. 63-1-1. Purpose and Applicability	New
Sec. 63-1-2. Development Districts Established	Sec. 100-112, 100-113, 100-114, and Chapter 106, Article 10
1. Arroyo Valley (Zoning)	
2. Bayfield	
3. Crocker	• Hermosa Creek
4. Durango	• Bruce Lane
5. Florida Mesa	• Hermosa / Arroyo
6. Florida Road	• Hermosa West
7. Fort Lewis Mesa	• Central Arroyo Valley
8. Junction Creek	• Gem Village (100-136)
9. La Florida Road	• Crocker Creek (100-572)
10. North County	Sec. 70-44
11. Southeast La Plata	Chapter 106, Article 10, Division 2-12, 100-411, 100-842
12. Vallejo	
13. West Durango	

ZLDR Comprehensive Review and Recommendations

➤ Historic Preservation





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

HISTORIC RESOURCES INVENTORY; BACKGROUND

- Adopted Sept. 2016; last updated in 1992
- Historic Preservation Commission (HPC) established in 2014
- Grant in 2015 to update Charleston County Historical / Architectural Survey from 1992
- Notable outcome was preservation of African American communities
- National Register of Historic Places (NRHP) and National Historic Landmarks (NHL)
 - County-wide: 183 individually-listed NRHP properties and historic districts; 76 NHL
 - Unincorporated: 59 individually-listed NRHP properties and historic districts; five NHL
- Eligible: one individual property, one district, and a corridor of African American communities

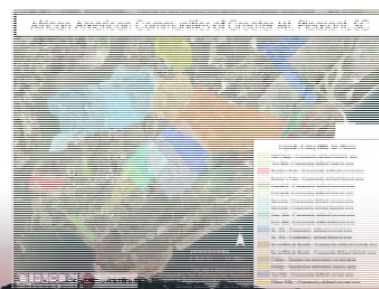


Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

HISTORIC RESOURCES INVENTORY; BACKGROUND

- Recommendations: Amend the ZLDR to implement historic preservation
 - *Preserve and enhance the settlement patterns of the historic African American communities*
 - Establish a process for maintaining a local historic resources inventory for properties that include NRHP eligible and non-eligible resources
 - Coordinate with municipalities and SCDAH to create a database of historic resources
 - *Consider expanding historic preservation regulations to apply to properties eligible for listing on the NRHP, as well as those in a local historic resources inventory*
 - *Apply to become a Certified Local Government (CLG) to establish a partnership with SCDAH and NPS.*





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

- **Purpose:** Promote preservation planning and heritage education
- 35 CLGs in South Carolina (Charleston, McClellanville, Mt. Pleasant, and Sullivan's Island)
- 1,867 CLGs nationally
- **Partnerships:**
 - State Historic Preservation Office (SHPO)
 - National Park Service (NPS)
- **Benefits**
 - Eligible for Federal grant funds
 - States receive annual appropriations from the Federal Historic Preservation Fund
 - States are required to give at least 10% of their funding to CLGs as subgrants
 - Grants can fund surveys, NR nominations, rehabilitation, design guidelines, education, training, feasibility studies, etc.
 - Technical help and training for the design review committee (board of architectural review)
 - Participate in statewide preservation planning programs
 - Comment on nominations to NRHPs before the nominations considered by the State Review Board

Certified Local Government (CLG) Program



Charleston, South Carolina



Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

- **Program Requirements:**
 - Pass a **Historic Preservation Ordinance** that meets state guidelines for CLGs
 - Set out criteria and processes for designating districts and landmarks of historic and/or pre-historic significance
 - Define the authority by which its provisions are carried out
 - Delineate the jurisdiction of a Design Review Committee (DRC)
 - Set out criteria and processes for the review and approval or disapproval of:
 - Alteration, demolition, and relocation of designated landmarks
 - Alteration of designated sites
 - Construction of new structures within designated districts
 - Other actions that may affect locally designated properties
 - Set out procedures for enforcing decisions
 - Make provisions for rights of appeal





Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

- Program Requirements:
 - Establish a qualified Historic Preservation Commission (now a 4-person committee of Planning Commission)
 - Role of the HPC:
 - Educate the community about their own historic resources
 - Authority in the ZLDR to **review and render decisions** on all proposed alterations, relocations, demolitions, and new construction affecting designated historic preservation conservation areas or individually designated local landmarks
 - First **review and evaluation** of all proposed National Register nominations within its jurisdiction
 - **Seek expertise** by professionals when considering actions, e.g., archaeological site
 - Maintain a system for the survey and inventory of historic properties
 - Provide for adequate public participation in the historic preservation program, e.g., nominations

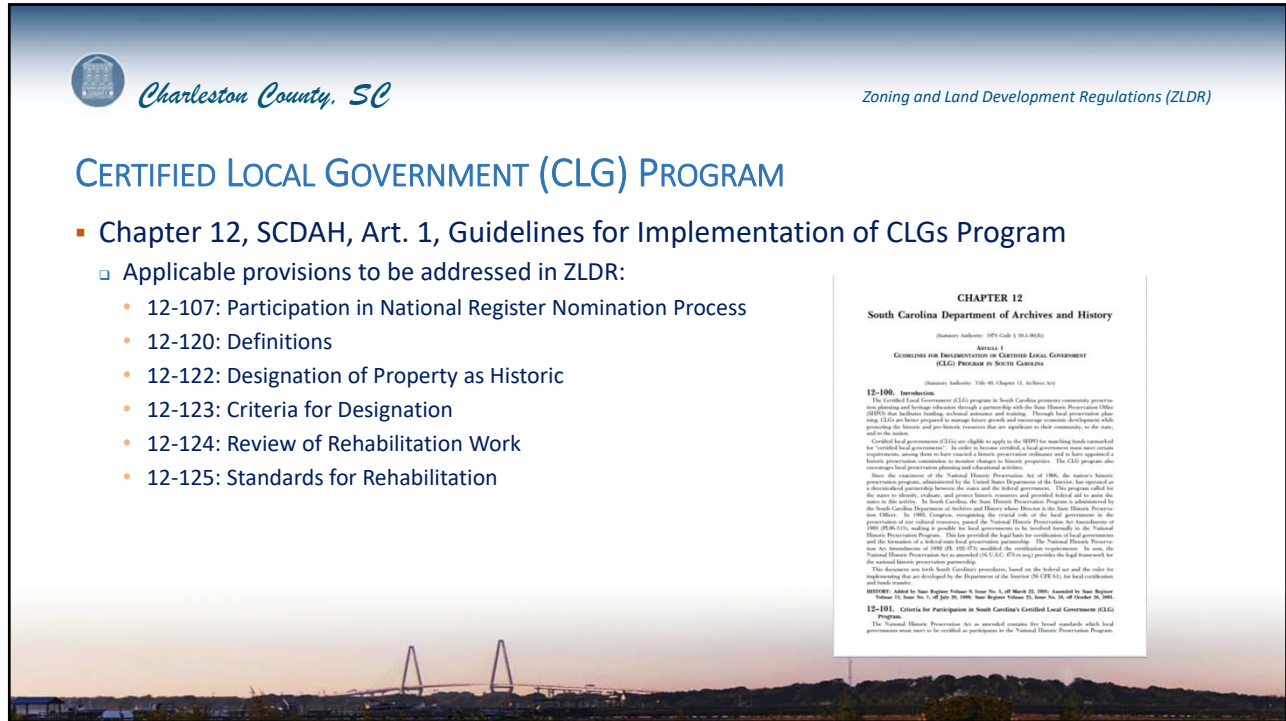
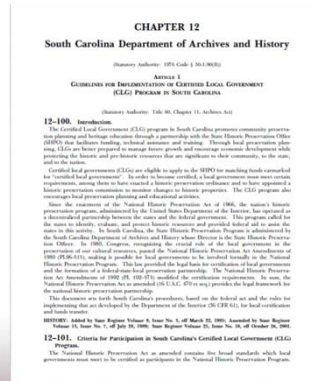



Charleston County, SC

Zoning and Land Development Regulations (ZLDR)

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM


- Chapter 12, SCDAA, Art. 1, Guidelines for Implementation of CLGs Program
 - Applicable provisions to be addressed in ZLDR:
 - 12-107: Participation in National Register Nomination Process
 - 12-120: Definitions
 - 12-122: Designation of Property as Historic
 - 12-123: Criteria for Designation
 - 12-124: Review of Rehabilitation Work
 - 12-125: Standards for Rehabilitation




 *Charleston County, SC* *Zoning and Land Development Regulations (ZLDR)*

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

- Elements for Inclusion in the ZLDR
 - Structure and content identified through Annotated Outline
 - Regulatory elements to be included:
 - Provision for Special Districts, e.g. Historic District(s) when designated
 - District designation and purpose
 - Zoning map notation(s)
 - Incorporation into use matrix, e.g., uses permitted, conditionally permitted or prohibited in designated district(s)
 - Neighborhood conservation standards to preserve settlement patterns of historic African American communities
 - Design standards
 - Purpose and applicability
 - Reference to design guidelines?
 - Standards of rehabilitation
 - Standards for new construction or building additions
 - Special site standards, e.g., landscaping, signage, etc.





 *Charleston County, SC* *Zoning and Land Development Regulations (ZLDR)*

CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

- Elements for Inclusion in the ZLDR
 - Regulatory elements to be included:
 - Review and Decision-Making Bodies
 - Historic Preservation Commission/Committee
 - Purpose of HPC
 - Membership and method of appointment or removal
 - Responsibilities, powers, and duties
 - Design Review Committee (DRC)
 - Purpose of DRC
 - Membership and method of appointment or removal
 - Responsibilities, powers and duties
 - Procedures
 - Certificate of appropriateness (+ hardship waiver)
 - Designation of historic site or district
 - Local nomination to NRHP
 - Appeals





 *Charleston County, SC*

Zoning and Land Development Regulations (ZLDR)

ZLDR Comprehensive Review and Recommendations

Charleston County, SC

Thank you



KENDIG KEAST
COLLABORATIVE

The slide features a background image of a bridge at sunset. The text is arranged in a clean, professional layout with a blue header and footer area.