

Post & Courier

CHARLESTON COUNTY COUNCIL COMPREHENSIVE PLAN AND ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE (ZLDR) TEXT AMENDMENTS PUBLIC HEARING

Tuesday, October 6, 2020 at 6:30 PM

Charleston County Council will hold a public hearing on proposed amendments to the Charleston County Comprehensive Plan and Zoning and Land Development Regulations Ordinance to incorporate the James Island Maybank Highway Corridor Overlay Zoning District beginning at 6:30 p.m., Tuesday, October 6, 2020, in Council Chambers (second floor of the Lonnie Hamilton, III, Public Services Building, located at: 4045 Bridge View Drive, North Charleston, SC 29405). The complete packet can be found online at: <https://www.charlestoncounty.org/departments/zoning-planning/>. The meeting will be livestreamed at: <https://www.charlestoncounty.org/departments/county-council/cctv.php>. Written public comments may be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by noon on Tuesday, October 6. Contact the Zoning and Planning Department at (843)202-7200 or CCPC@charlestoncounty.org for additional information.

This Public Notice is in accordance with Section 6-29-760 of the Code of Laws of South Carolina.

Kristen L. Salisbury
Clerk of Council

PROPOSED AMENDMENTS TO THE CHARLESTON COUNTY COMPREHENSIVE PLAN AND ZLDR TO ADOPT THE JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

- Case History**
- Presentation**
- Proposed Amendments**
- Public input**

**JAMES ISLAND MAYBANK HIGHWAY CORRIDOR
OVERLAY ZONING DISTRICT
CASE HISTORY**

Planning Commission Workshop: January 13, 2020
Planning Commission Workshop and Meeting: August 10, 2020
County Council Public Hearing: October 6, 2020
Planning & Public Works Committee Meeting: October 15, 2020
First Reading: October 20, 2020
Second Reading: November 10, 2020
Third Reading: November 19, 2020

Background

The MHC-O, Maybank Highway Corridor Overlay Zoning District, was first established as part of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) when it was adopted on November 20, 2001. The MHC-O only included unincorporated properties along Maybank Highway located on Johns Island. In 2015, as part of the adoption of the *Comprehensive Plan Five-Year Review*, County Council included the priority recommendation to coordinate with the City of Charleston to review the MHC-O District and extend the overlay boundary onto James Island. This JA-MHC-O, James Island Maybank Highway Corridor Overlay Zoning District implements the James Island component of that recommendation.

The JA-MHC-O is a new overlay zoning district that is separate and distinct from the original MHC-O. The overlay district's boundary includes properties fronting on, and in close proximity to the Maybank Highway corridor on James Island. This corridor traverses a municipal golf course, large-scale mixed use developments, and popular local shopping and entertainment destinations. Maybank Highway on James Island carries a high volume of vehicular traffic each day. Moreover, some of the properties within this corridor are located within the jurisdictional limits of the City of Charleston, while some are located within unincorporated Charleston County. The City of Charleston and Charleston County Planning Departments collaborated on this planning effort to create consistent land use, zoning, and development requirements for the Maybank Highway Corridor on James Island.

The JA-MHC-O project began in July 2018 with a focus on community input. Public outreach included a community survey resulting in over 800 responses, four focused stakeholder meetings, and four rounds of on-location public workshops attended by hundreds of James Island residents. While the JA-MHC-O does not create any new districts, it does include coordination with the City of Charleston to address vehicle access, enhanced right-of-way buffer and signage requirements, and more restrictive density/intensity and dimensional standards. The adoption of the JA-MHC-O will rezone 29 unincorporated parcels from the R-4, Single Family Residential 4 Zoning District to the OR, Residential Office Zoning District. The majority of these parcels front on Maybank Highway and contain residential structures; however, the changing conditions of this busy corridor supports the transition to residential office uses.

The JA-MHC-O is the culmination of a two-year City of Charleston and Charleston County collaborative planning process including input from hundreds of residents and property owners, business owners, and stakeholders. Below is a summary of the project timeline to date:

- January 6, 2015: County Council adopted the Comprehensive Plan Five-Year Review, including the priority recommendation to review the MHC-O District and extend the overlay boundary onto James Island.
- July 30, 2018: Ninety-one community members attended the JA-MHC-O Kick-Off Community Workshop held at the Lowcountry Senior Center on James Island.
- August-November 2018: Received over 800 responses to the James Island Maybank Highway Community Survey.

- November-December 2018: Held three individual stakeholder meetings:
 - November 28, 2018: The Transportation and Drainage Stakeholder Meeting included representatives from SCDOT District 6, Town of Kiawah Island, Town of Seabrook Island, and the respective City of Charleston and Charleston County Zoning and Planning, Public Works, and Transportation Departments.
 - November 29, 2018: The Community Stakeholder Meeting included representatives from various community organizations, neighborhood associations, James Island Public Service District, EMS, CCSD, and city and county zoning and planning staff.
 - December 4, 2018: The Business Owner Stakeholder Meeting included representatives from the business community along the corridors of Maybank Highway on James Island, and Maybank Highway and Main Road on Johns Island.
- February-October 2019: Held three additional rounds of Community Workshops:
 - The second James Island Community Workshop was held at Harbor View Elementary School on February 19, 2019, with 127 community members in attendance;
 - The third James Island Community Workshop was held at the Lowcountry Senior Center on June 11, 2019, with 62 community members in attendance; and
 - The fourth James Island Community Workshop was held at the Lowcountry Senior Center on October 29, 2019, with 20 community members in attendance.
- January 13, 2020: The JA-MHC-O was first introduced to the Planning Commission for initial feedback at a workshop.
- March 2020: City and County Staff facilitated Planning Commission member site visits to view and discuss the James Island Maybank Highway corridor and elements of the draft JA-MHC-O.
- March 2020 – Present: City and County staff held multiple meetings to finalize the JA-MHC-O.
- To date, City and County staff have met 18 times to discuss, review, and revise the JA-MHC-O.

The proposed amendments to the Comprehensive Plan and the ZLDR to incorporate the JA-MHC-O are attached.

COMPREHENSIVE PLAN AMENDMENTS

In summary, the proposed Comprehensive Plan amendments:

- Amend Chapter 3.1 as follows:
 - Update Map 3.1.4: Future Land Use to add the JA-MHC-O;
 - Update Map 3.1.5: Urban/Suburban Future Land Use Detail to add the JA-MHC-O;
 - Incorporate Map 3.1.17: James island Maybank Highway Corridor Overlay Zoning District.
- Amend Chapter 3.9 as follows:
 - In Table 3.9.1, update the Project Status column to show “Completion of the James Island Maybank Highway Corridor Overlay Zoning District”;
 - In Table 3.9.2, update the Recommended Project column to remove the reference to the James Island Maybank Highway Corridor Overlay Zoning District.

APPROVAL CRITERIA

Pursuant to Article 3.2.6 of the Charleston County Zoning and Land Development Regulations Ordinance, *Comprehensive Plan* Amendments may be approved by the County Council only if they determine that the proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan and that any one of the following criteria has been met:

There was a significant error in the original Comprehensive Plan adoption;

- A. In adopting the Comprehensive Plan, the County Council failed to take into account facts, projections or trends that were reasonably foreseeable to exist in the future;
- B. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;
- C. Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;

Response: The character and condition of the Maybank Highway corridor on James Island has changed over time, including the increase in local and commuter vehicle traffic and increased day and evening pedestrian activity as the corridor continues to evolve into a popular local shopping and entertainment destination. Moreover, the project fulfills the Comprehensive Plan's priority recommendation to create a James Island Maybank Highway Corridor Overlay Zoning District.

- D. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Art.3.17, Developments of County Significance; or
- E. The proposed Comprehensive Plan Amendment is consistent with the comprehensive plan future land use recommendations of adjacent municipalities that have adopted extra-territorial jurisdiction for the subject parcel(s).

Staff Recommendation – Comprehensive Plan Amendments: Approval

The proposed amendments meet the criteria of ZLDR Art. 3.2.6.

ZLDR AMENDMENTS

In summary, the proposed ZLDR amendments:

- Incorporate Article 5.16, JA-MHC-O, James Island Maybank Highway Corridor Overlay Zoning District:
 - Changes the zoning of 29 unincorporated properties from R-4 to OR;
 - Improves pedestrian safety by requiring a 5-foot planting strip, 10-foot sidewalk, and street lights next to Maybank Highway as properties develop/redevelop;
 - Limits individual building footprints to 7,500 square feet and building height to 35 feet or 2.5 stories;
 - Requires freestanding signs;
 - Improves vehicle access management; and
 - Limits density and lot area calculations to highland areas only (does not include freshwater wetland or OCRM Critical Line Area).
- Amend other sections of the ZLDR as follows:
 - ZLDR Sec. 8.4.2.A.4.i, Preliminary Plat Application Requirements, and ZLDR Sec. 8.5.2.B.9, Final Plat Application Requirements: To clarify that a United States Army Corps of Engineers (USACE) jurisdictional determination is required for approval of a subdivision plat application as required for the James Island Maybank Highway Corridor Overlay Zoning District.
 - ZLDR Sec. 9.5.4, Table 9.5.4.A.3, Buffer Types by Roadway: Amend the table to add the roadway name Maybank Highway Corridor Overlay Zoning District (James Island), and

add a footnote to reference that the “Buffer type shall be as described in the James Island Maybank Highway Corridor Overlay Zoning District”.

APPROVAL CRITERIA

Pursuant to Article 3.3.6 of the Charleston County Zoning and Land Development Regulations Ordinance, text amendments to the ordinance may be approved if the following approval criteria have been met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition.

Response: The proposed overlay zoning district meets the challenge of the changing conditions of the James Island Maybank Highway corridor by improving pedestrian mobility, requiring standards for safer and more efficient vehicle access, enhancing right-of-way buffer and signage requirements, and adding more restrictive density/intensity and dimensional standards.

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5;

Response: The proposed overlay zoning district is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5 as it implements the Comprehensive Plan’s priority recommendation to create a James Island Maybank Highway Corridor Overlay Zoning District.

- C. The proposed amendment is to further the public welfare in any other regard specified by County Council;

Response: The proposed overlay zoning district furthers the public welfare by: improving the safety and efficiency of vehicle, pedestrian, and bicycle movement in the corridor, enhancing right-of-way buffer and signage requirements, and addressing drainage issues through Special Protection Area stormwater design criteria.

Public Input: All public input received to date is included in this packet.

Staff Recommendation – ZLDR Amendments: Approval

The proposed amendments meet the criteria of ZLDR Art. 3.2.6 and 3.3.6.

Planning Commission Workshop and Meeting: August 10, 2020

Recommendation: Approval of staff recommendation (8 to 1; Bowman dissented)

Public Input: Seven letters/emails were received:

- Letters showing support, including:
 - Two local business owners on Maybank in support of JA-MHC-O;
 - Letter in support of City and County working cooperatively on land use and development standards;
 - Multiple letters in support of the pedestrian and bicycle improvements; and
 - Multiple letters in support of proposed rezonings (R-4 to OR).
- Letters showing concern:
 - Language for Special Protection Area stormwater design is vague; and
 - Would like to see the bicycle/pedestrian improvements constructed by City/County rather than waiting on developers to build.

Notifications: On July 24, 2020, 1,151 Planning Commission meeting notifications were sent to

individuals on the James Island, James Island Maybank Highway and ZLDR/Comprehensive Plan Interested Parties' Lists, as well as owners of properties within the JA-MHC-O boundary. Additionally, the Planning Commission meeting was noticed in the Post & Courier on July 24, 2020.

Public Hearing: October 6, 2020

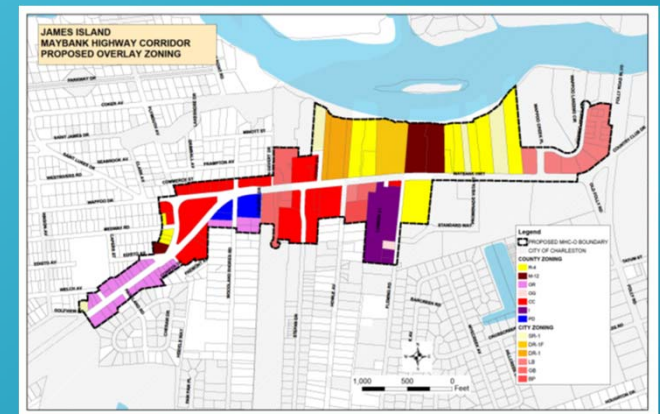
Notifications: On September 18, 2020, 1,151 Planning Commission meeting notifications were sent to individuals on the James Island, James Island Maybank Highway and ZLDR/Comprehensive Plan Interested Parties' Lists, as well as owners of properties within the JA-MHC-O boundary. Additionally, on September 18, 2020, the Public Hearing was noticed in the Post & Courier and 106 signs were posted on properties included in the JA-MHC-O.

JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT (JA-MHC-O)

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PROJECT OVERVIEW AND HISTORY

- The JA-MHC-O District includes properties along the James Island section of the Maybank Highway corridor from Folly Road westward to the Charleston City Golf Course.
- This corridor serves as both a busy commuter route and a popular entertainment district, resulting in a high volume of vehicular and pedestrian traffic on weekdays and weekends.
- The intent of the overlay district is to:
 - Preserve the positive qualities of existing development in the corridor;
 - Implement consistent and coordinated design and development standards; and
 - Support transportation and pedestrian safety improvements.



PROJECT OVERVIEW AND HISTORY

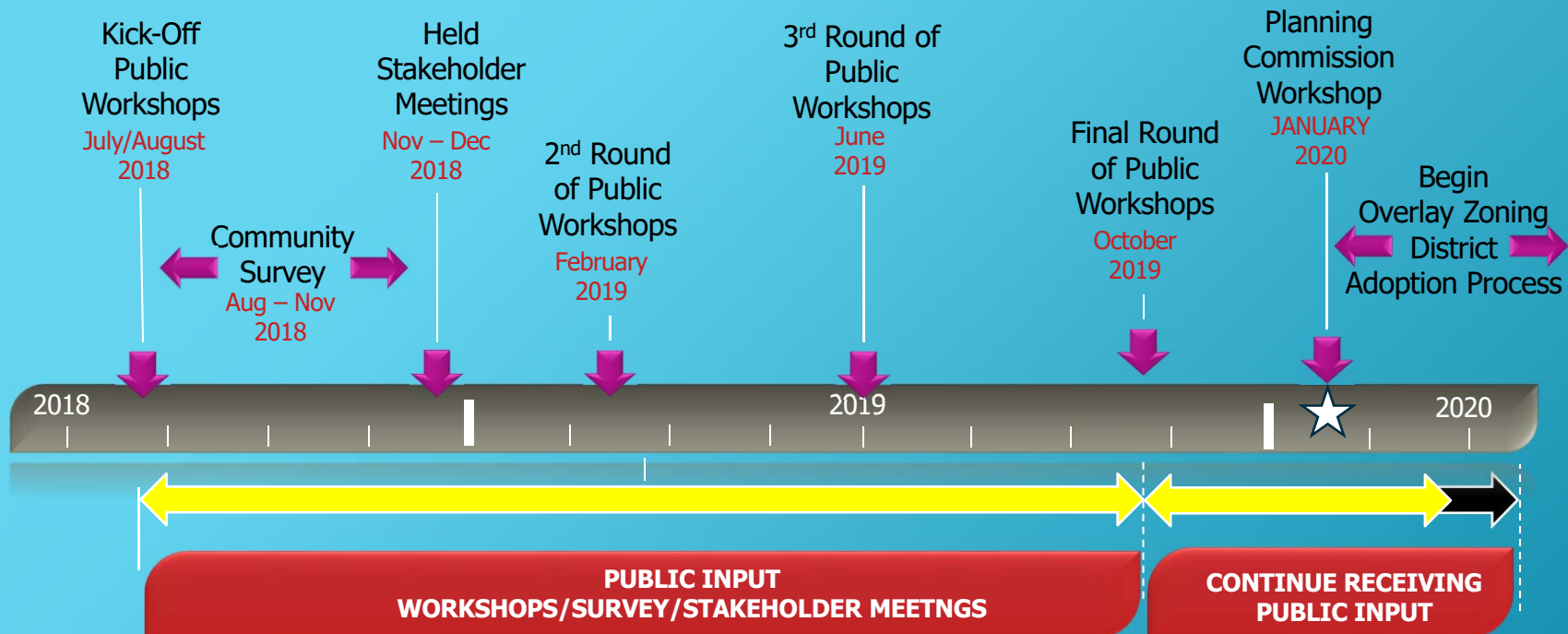
- **January 6, 2015:** County Council adopts the Comprehensive Plan Five-Year Review, including the priority recommendation to review the MHC-O District and extend the overlay boundary onto James Island.
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PROJECT OVERVIEW AND HISTORY

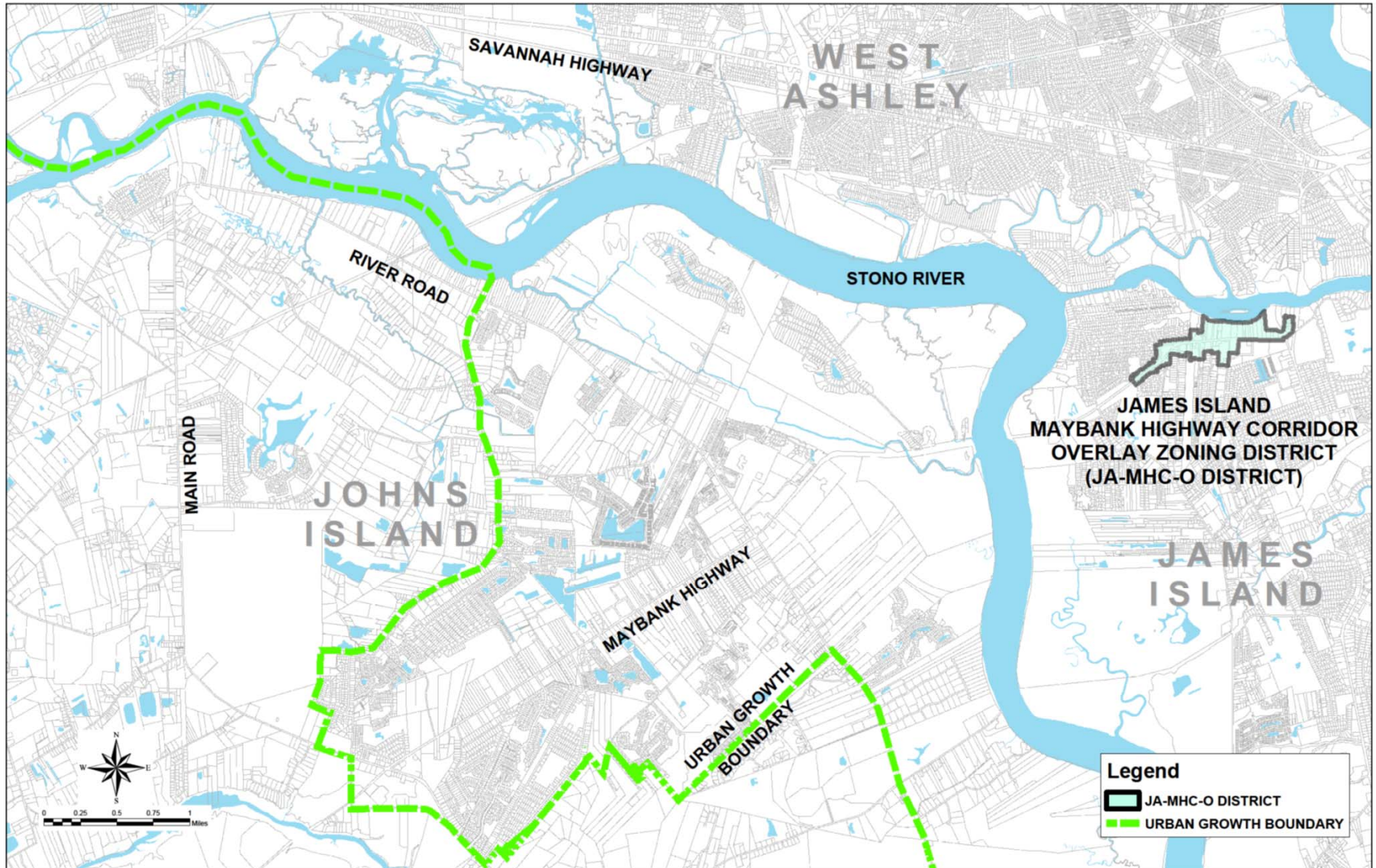
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- **March 2020 – Present:** City and County staff held multiple meetings to finalize the JA-MHC-O.
- **To date, City and County staff have met 18 times to discuss, review and revise the JA-MHC-O.**

PROJECT OVERVIEW AND HISTORY

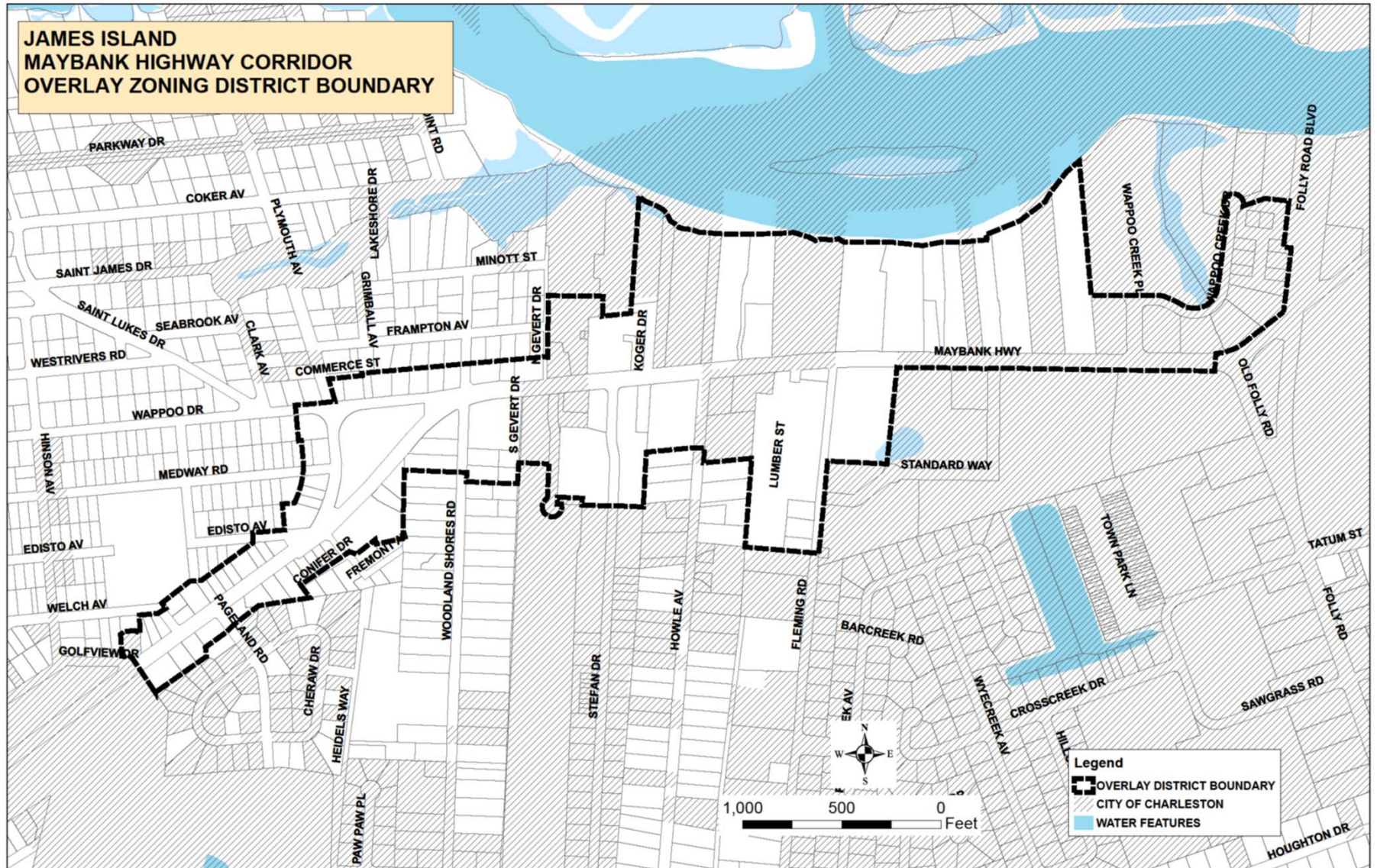
- Four Rounds of Public Workshops
- Community Survey
- Three Stakeholder Meetings
- Numerous City-County Staff-level Meetings



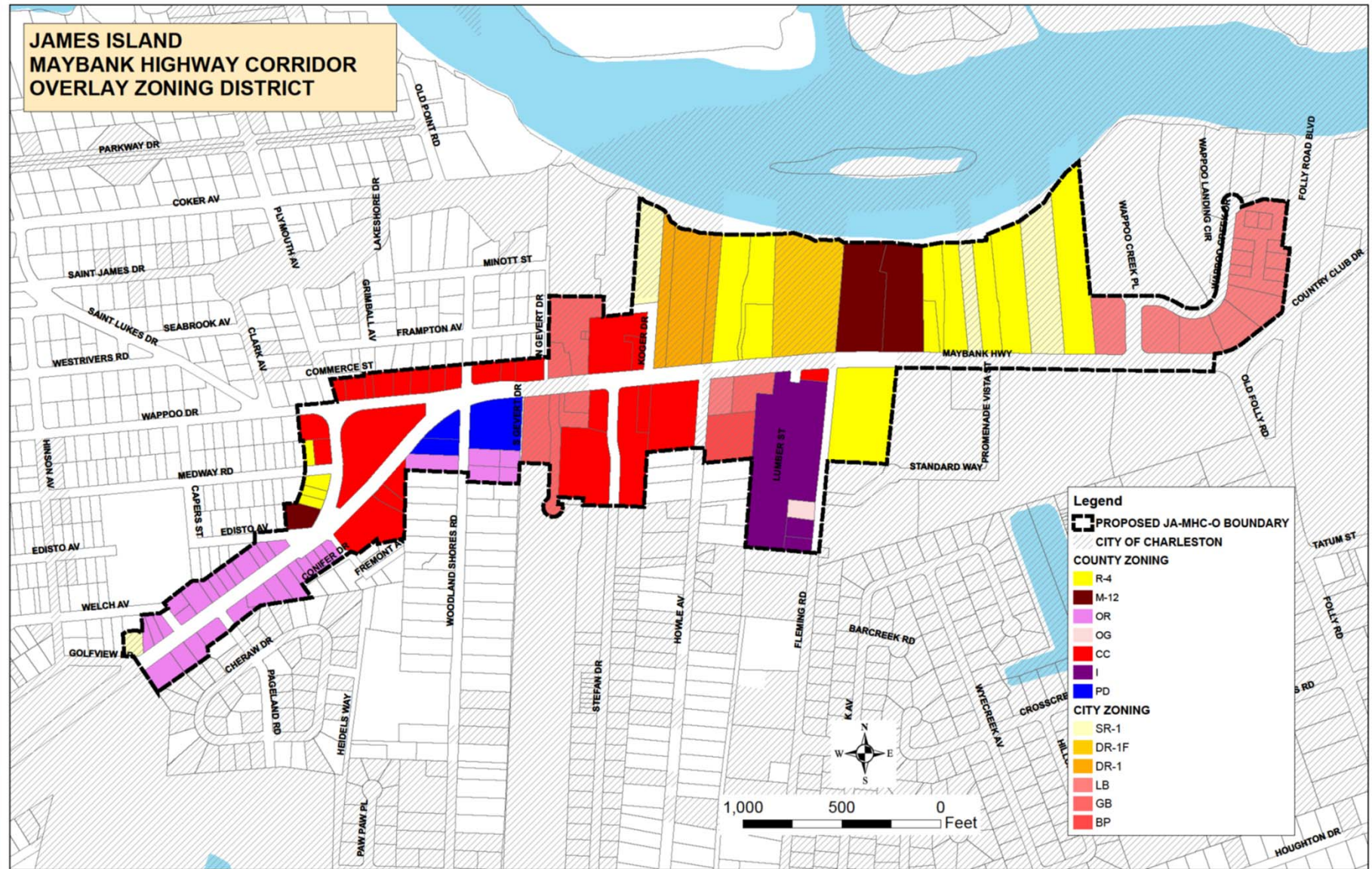
JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT (JA-MHC-O)



JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT BOUNDARY



RECOMMENDED JA-MHC-O MAP



COMPREHENSIVE PLAN AMENDMENTS

- Amend Chapter 3.9 as follows:
 - ✓ In Table 3.9.1, update the Project Status column to show “Completion of the James Island Maybank Highway Corridor Overlay Zoning District”;
 - ✓ In Table 3.9.2, update the Recommended Project column to remove the reference to the James Island Maybank Highway Corridor Overlay Zoning District.

APPROVAL CRITERIA – SECTION 3.2.6

Pursuant to Article 3.2.6 of the Charleston County Zoning and Land Development Regulations Ordinance, Comprehensive Plan Amendments may be approved by the County Council only if they determine that the proposed amendment is consistent with the overall purpose and intent of the Comprehensive Plan and that any one of the following criteria has been met:

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- B. Events, trends, or facts after adoption of the Comprehensive Plan have changed the County Council's original findings made upon plan adoption;
- C. **Events, trends, or facts after adoption of the Comprehensive Plan have changed the character or condition of an area, making the proposed amendment necessary;**

***Response:** The character and condition of the Maybank Highway corridor on James Island has changed over time, including the increase in local and commuter vehicle traffic and increased day and evening pedestrian activity as the corridor continues to evolve into a popular local shopping and entertainment destination. Moreover, the project fulfills the Comprehensive Plan's priority recommendation to create a James Island Maybank Highway Corridor Overlay Zoning District.*

- D. The proposed Comprehensive Plan Amendment is requested pursuant to and complies with Art. 3.17, Developments of County Significance; or
- E. The proposed Comprehensive Plan Amendment is consistent with the comprehensive plan future land use recommendations of adjacent municipalities that have adopted extra-territorial jurisdiction for the subject parcel(s).

RECOMMENDATION

The Comprehensive Plan amendments
meet the approval criteria.

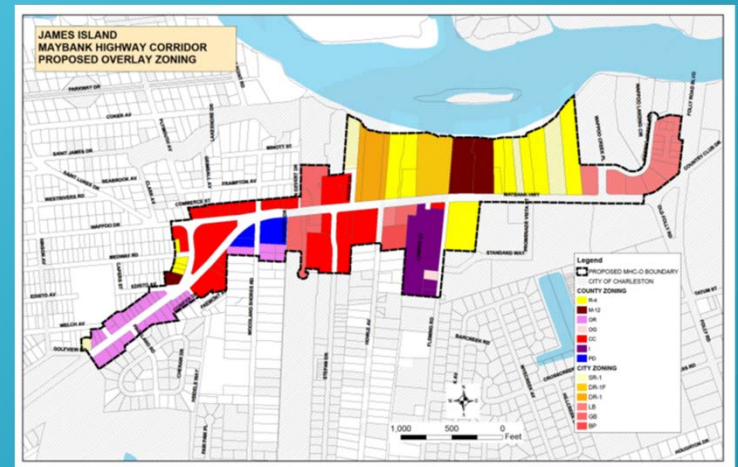
**STAFF & PLANNING COMMISSION
RECOMMENDATION:**

APPROVAL

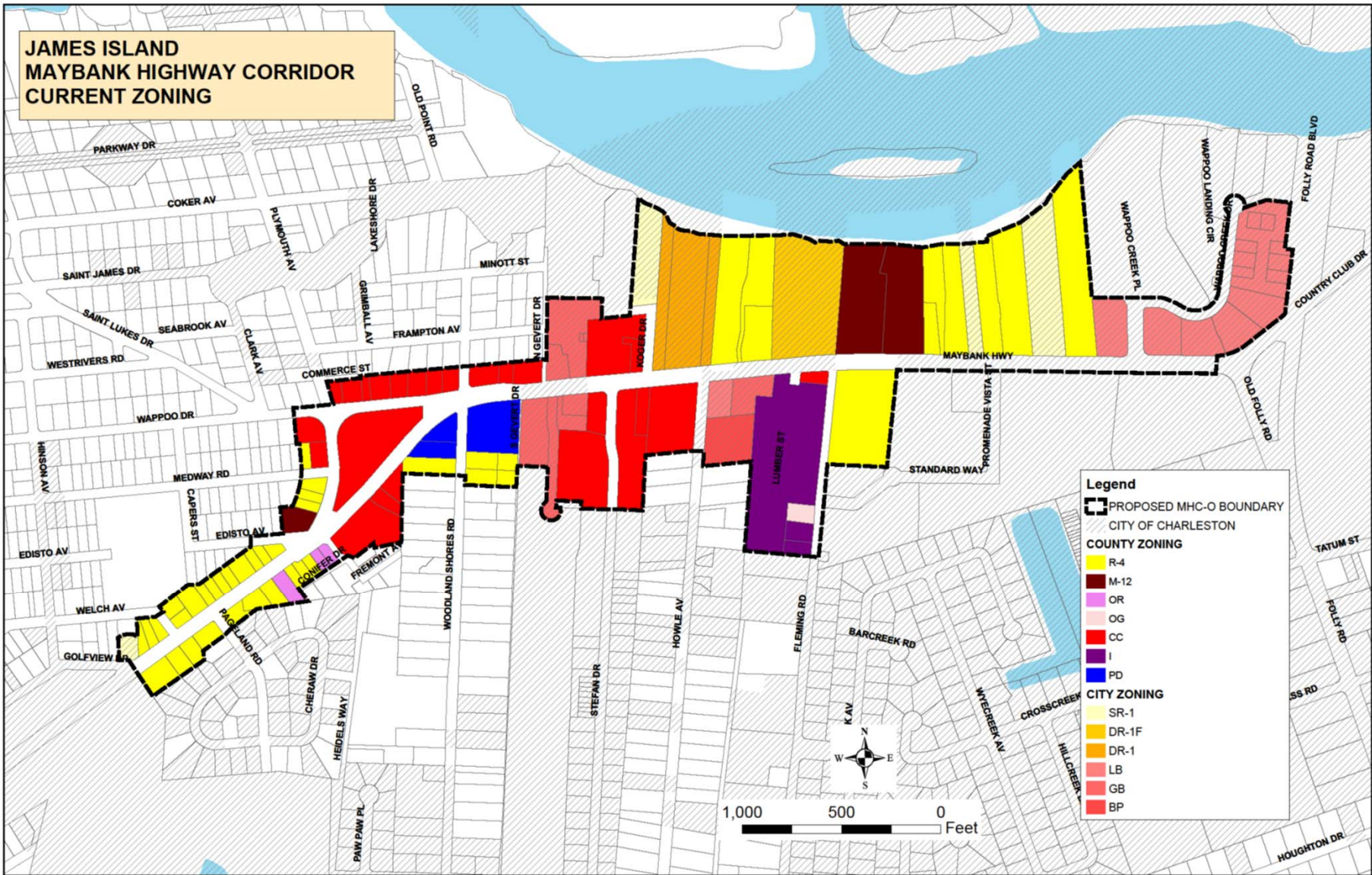
*Aug. 10, 2020 Planning Commission Vote: 8 to 1
(Bowman dissented)*

JA-MHC-O SUMMARY

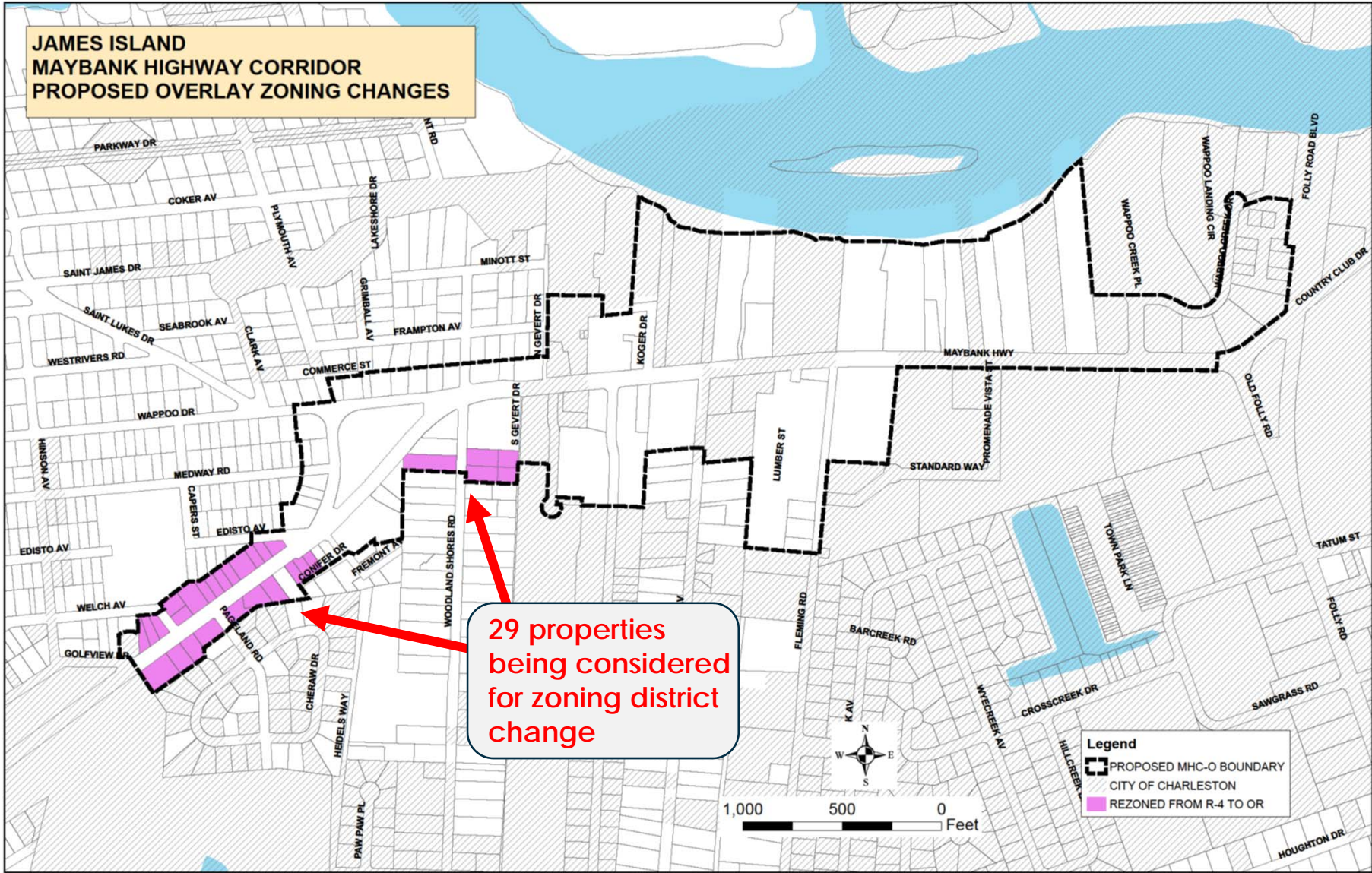
- This ZLDR Text Amendment to incorporate Article 5.16 JA-MHC-O, James Island Maybank Highway Corridor Overlay (JA-MHC-O) Zoning District implements a priority recommendation included in Charleston County's Comprehensive Plan 2018-2023 Work Plan;
- Development on properties within this new overlay zoning district will be subject to the additional regulations created for this district;
- Adoption of the JA-MHC-O will result in the rezoning of 29 unincorporated properties from the Single Family Residential 4 (R-4) District to the Residential Office (OR) District.



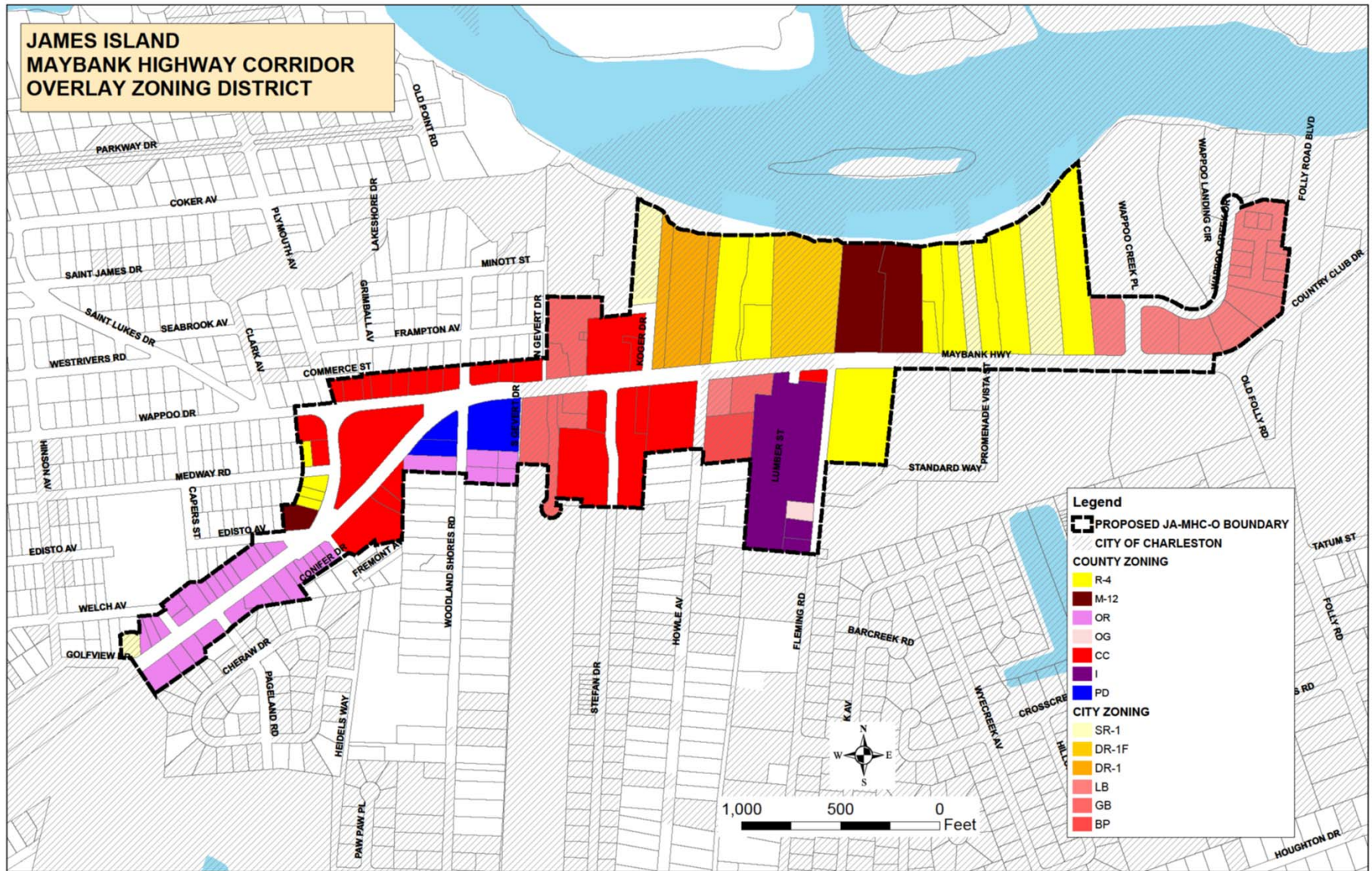
OVERLAY DISTRICT BOUNDARY MAP WITH CURRENT ZONING



PARCELS CONSIDERED FOR ZONING DISTRICT CHANGE (FROM R-4 TO OR)



FINAL JA-MHC-O MAP INCLUDING ZONING DISTRICT CHANGES



DEVELOPMENT STANDARDS AND BUFFER REQUIREMENTS

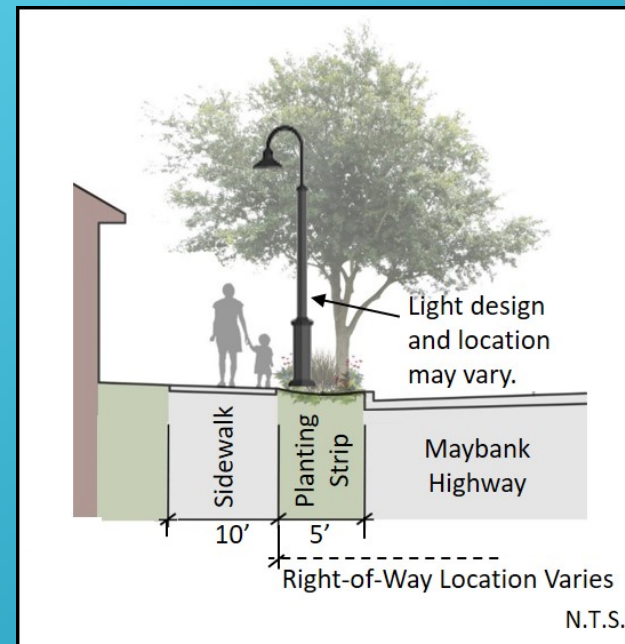
| JA-MHC-O District Density/Intensity and Dimensional Standards | |
|------------------------------------------------------------------|--------------------------------|
| MAXIMUM RESIDENTIAL DENSITY | 8 Dwelling Units per acre |
| MINIMUM LOT WIDTH | 12 feet |
| MINIMUM SETBACKS | Equivalent to required buffers |
| OCRM CRITICAL LINE | 50 feet |
| MAXIMUM BUILDING COVER | 30% |
| MAXIMUM BUILDING FOOTPRINT | 7,500 square feet (1) |
| MAXIMUM BUILDING HEIGHT | 35 feet and 2-1/2 stories |

(1) No single building footprint shall exceed 7,500 square feet unless approved under the Special Exception procedures of the Zoning and Land Development Regulations Ordinance.

- Density bonus is available when affordable housing criteria is met
- Maximum building coverage increased to 40% for properties with shared access agreements

Buffer Requirements

- Ten-foot sidewalk
- Two canopy trees or three understory trees per 100 linear feet of frontage
- Street lights (locations to be determined by the Zoning and Planning Director)



SIGNAGE REQUIREMENTS AND VEHICLE ACCESS

Signage Requirements

- New freestanding signs shall be monument signs;
- Maximum height of 8 feet, maximum area of 40 sq. feet;
- Pole covers required when re-facing non-conforming signs.



Vehicle Access Management

- Right-in right-out driveway access required when adjacent driveway separation is less than 150 feet;
- Additional restrictions on driveway width, separation, and number allowed;
- Shared access requirements and incentives.

ADDITIONAL REQUIREMENTS

Uses

- Permitted uses shall include those uses allowed in the applicable Zoning District, with the exception of Sec. 5.16.5.B, Prohibited Uses:
 - Vehicle Sales (new or used)
 - Vehicle Rental and Leasing Service
 - Manufactured Home Dealers
 - Indoor/Outdoor Shooting Range
 - Pawn Shop
 - Convenience Store
 - Warehouse Club or Superstore
 - Billboard
 - Sexually Oriented Business
 - Restaurant, Fast Food
 - Restaurant with drive-through lanes/windows
 - Vehicle Storage
 - Towing Facility
 - Impound Yard
 - Car Wash
 - Truck Stop
 - Short-term Lender
 - Self-Service Storage
 - Service Station, Gasoline containing more than four fuel dispensing stations.

ADDITIONAL REQUIREMENTS

Stormwater Requirements

- At the discretion of the Public Works Department, construction activities occurring on properties within the JA-MHC-O may be subject to Special Protection Area stormwater design criteria.

Traffic Impact Requirements

- All development applications requiring Site Plan Review shall be subject to the requirements of Article 9.9, Traffic Impact Studies.

ASSOCIATED ZLDR AMENDMENTS

- **ZLDR Sec. 8.4.2.A.4.j, Preliminary Plat Application Requirements:**

To clarify that a United States Army Corps of Engineers (USACE) jurisdictional determination is required for approval of a subdivision plat application as required for the James Island Maybank Highway Corridor Overlay Zoning District.

- **ZLDR Sec. 8.5.2.B.9, Final Plat Application Requirements:**

To clarify that a United States Army Corps of Engineers (USACE) jurisdictional determination is required for approval of a subdivision plat application as required for the James Island Maybank Highway Corridor Overlay Zoning District.

- **ZLDR Sec. 9.5.4, Table 9.5.4.A.3, Buffer Types by Roadway:**

Amend the table to add the roadway name Maybank Highway Corridor Overlay Zoning District (James Island), and add a footnote to reference that the "Buffer type shall be as described in the James Island Maybank Highway Corridor Overlay Zoning District".

APPROVAL CRITERIA – SECTION 3.3.6

Pursuant to Article 3.3.6 of the Charleston County Zoning and Land Development Regulations Ordinance, text amendments to the ordinance may be approved if the following approval criteria have been met:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition.**

Response: The proposed overlay zoning district meets the challenge of the changing conditions of the James Island Maybank Highway corridor by improving pedestrian mobility, requiring standards for safer and more efficient vehicle access, enhancing right-of-way buffer and signage requirements, and adding more restrictive density/intensity and dimensional standards.

- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5;**

Response: The proposed overlay zoning district is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5 as it implements the Comprehensive Plan's priority recommendation to create a James Island Maybank Highway Corridor Overlay Zoning District.

- C. The proposed amendment is to further the public welfare in any other regard specified by County Council;**

Response: The proposed overlay zoning district furthers the public welfare by: improving the safety and efficiency of vehicle, pedestrian, and bicycle movement in the corridor, enhancing right-of-way buffer and signage requirements, and addressing drainage issues through Special Protection Area stormwater design criteria.

RECOMMENDATION

The ZLDR text amendments
meet the approval criteria.

STAFF & PLANNING COMMISSION RECOMMENDATION:

APPROVAL

*Aug. 10, 2020 Planning Commission Vote: 8 to 1
(Bowman dissented)*

NOTIFICATIONS

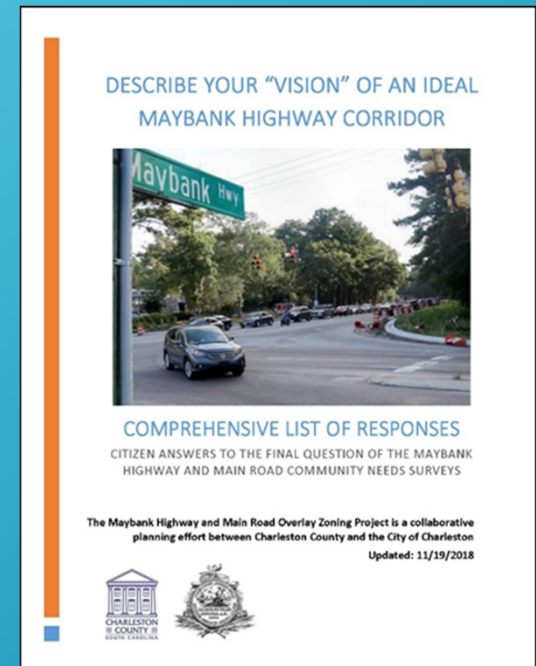
- July 24, 2020 (for the Aug. 10, 2020 Planning Commission Workshop & Meeting)
 - 1,151 Planning Commission meeting notifications were sent to individuals on the James Island, James Island Maybank Highway and ZLDR/Comprehensive Plan Interested Parties' Lists, as well as owners of properties within the JA-MHC-O boundary.
 - Ad ran in the *Post & Courier*.

- September 18, 2020 (for the Oct. 6, 2020 Public Hearing)
 - 1,151 Planning Commission meeting notifications were sent to individuals on the James Island, James Island Maybank Highway and ZLDR/Comprehensive Plan Interested Parties' Lists, as well as owners of properties within the JA-MHC-O boundary.
 - Ad ran in the *Post & Courier*.
 - 106 signs posted on properties in the JA-MHC-O.

SUMMARY OF THE PUBLIC INPUT RECEIVED FROM COMMUNITY SURVEY

As part of the initial public input process, a James Island Community Survey was conducted during the month of August 2018. The survey was specifically tailored to the Maybank Highway Corridor on James Island, and was made available in paper at each of the community meetings, at the James Island public library, and online on the Charleston County Planning Department's Maybank Highway and Main Road Overlay Zoning Project webpage. A total of 827 James Island Community Surveys were completed, with the results showing the following community concerns:

- Safer roads integrated with alternative modes of transportation;
- Well-designed and aesthetically pleasing development;
- Improved traffic and road conditions;
- Improved infrastructure to address drainage and flooding;
- Limited residential development, specifically multifamily;
- Make Maybank Highway walkable, with accessibility to commercial and civic development;
- Make green space a priority along Maybank Highway;
- Limited commercial development along Maybank Highway; and
- Lowered speed limits and better enforcement of existing regulations.



JA-MHC-O PUBLIC INPUT SUMMARY: SEVEN LETTERS/EMAILS

Letters showing support, including

- Two local business owners on Maybank in support of JA-MHC-O
- Letter in support of City and County working cooperatively on land use and development standards
- Multiple letters in support of the pedestrian and bicycle improvements
- Multiple letters in support of proposed rezonings (R-4 to OR)

Letters showing concern

- Language for Special Protection Area stormwater design is vague
- Would like to see the bicycle/pedestrian improvements constructed by City/County rather than waiting on developers to build

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**Draft Article 5.16:
Proposed James Island
Maybank Highway
Corridor Overlay Zoning
District ZLDR
Amendments**

ARTICLE 5.16 JA-MHC-O, JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT

Sec. 5.16.1 Statement of Findings

The MHC-O, Maybank Highway Corridor Overlay Zoning District, was first established as part of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) when it was adopted on November 20, 2001. The MHC-O only included unincorporated properties along Maybank Highway on Johns Island. In 2006, the MHC-O was amended to implement the recommendations of the 2003 *Charleston County Comprehensive Plan Five-Year Review*, but still only included unincorporated properties along Maybank Highway on Johns Island. In 2015, as part of the adoption of the Comprehensive Plan Five-Year Review, County Council included the priority recommendation to coordinate with the City of Charleston to review the MHC-O District and extend the overlay boundary onto James Island. The JA-MHC-O, James Island Maybank Highway Corridor Overlay Zoning District, implements that recommendation.

The original MHC-O is a primary gateway to Johns Island and acts as one of the main thoroughfares for destinations such as Kiawah Island, Seabrook Island, and Wadmalaw Island. The JA-MHC-O, James Island Maybank Highway Corridor Overlay Zoning District, is a separate overlay zoning district with a boundary that includes the Maybank Highway segment on James Island, where the corridor traverses a municipal golf course, large-scale mixed use developments, and popular local shopping and entertainment destinations. Maybank Highway on James Island carries a high volume of vehicular traffic each day. Moreover, some of the properties in this corridor are located within the jurisdictional limits of the City of Charleston, while some are located within unincorporated Charleston County. The JA-MHC-O was adopted to implement pedestrian and traffic safety measures, address infrastructure deficiencies, improve the visual character of the corridor, and create consistency between Charleston County and the City of Charleston regarding zoning land development regulations.

Sec. 5.16.2 Purpose and Intent

The purpose of the JA-MHC-O is to create a corridor that is well-planned, attractive, and preserves and improves existing development patterns where appropriate through the implementation of traffic safety measures and land use and design standards. It is also intended to ensure safe and efficient vehicle, pedestrian, and bicycle movement through pedestrian and traffic safety measures and access management standards, and to address stormwater runoff, drainage, and flooding issues along the corridor.

A separate regional planning effort involving numerous public and private stakeholders was conducted concurrent with the preparation of this JA-MHC-O. This planning effort, named *Dutch Dialogues Charleston*, culminated in a final report released in September 2019. The report addresses “long-term planning to manage the risks and the opportunities provided by the Lowcountry’s dynamic water systems.” It should be noted that implementation of recommendations included in the *Dutch Dialogues Charleston Final Report* may result in future amendments to the JA-MHC-O.

Sec. 5.16.3 Applicability of the Overlay Zoning District

- A. **Standards.** The standards of this Article shall apply to all development of unincorporated properties within the JA-MHC-O, as shown on the map titled “James Island Maybank Highway Corridor Overlay Zoning District,” except Single-Family Detached Dwellings. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control.
- B. **Variiances.** The following requirements are ineligible for Zoning Variances in addition to those listed in Sec. 3.10.1, Applicability; Limitations, of this Ordinance:
 - a. Sec. 5.16.6.B, Vehicle Access;
 - b. Sec. 5.16.6.D, Pedestrian Access and Sidewalks; and

- c. Sec. 5.16.6.E, Right-of-Way Buffer Requirements.

Sec. 5.16.4 COORDINATION WITH ADJACENT JURISDICTIONS

A letter of coordination from the City of Charleston shall be required as part of all land development applications in the JA-MHC-O with the exception of applications for Single-Family Detached Dwellings. The purpose of this coordination is to ensure that development is consistent with similar requirements adopted for the JA-MHC-O by the City of Charleston.

Sec. 5.16.5 USES

- A. *Permitted Uses.* Permitted uses shall include those uses allowed in the applicable Zoning District as shown on the Overlay Zoning District map titled “James Island Maybank Highway Corridor Overlay Zoning District,” and as described in Table 6.1.1, Use Table, with the exceptions described in this Section.
- B. *Prohibited Uses.* The following uses shall be prohibited on all parcels included in the JA-MHC-O: Vehicle Sales (new or used), Vehicle Rental and Leasing Service, including associated vehicle storage areas; Manufactured Home Dealers; Indoor/Outdoor Shooting Range; Pawn Shop; Convenience Store; Warehouse Club or Superstore; Billboard; Sexually Oriented Business; Restaurant, Fast Food; Restaurant with drive-through lanes/windows; Vehicle Storage; Towing Facility; Impound Yard; Car Wash; Truck Stop; Short-term Lender; Self-Service Storage; and Service Station, Gasoline containing more than four fuel dispensing stations.
- C. *New or Unlisted Uses and Interpretation.* The Zoning and Planning Director shall be authorized to make use determinations whenever there is a question regarding the category of use based on the definitions contained in Chapter 12, Definitions, of this Ordinance.
- D. *Nonconforming Uses.* The requirements of Article 10.2, Nonconforming Uses, of this Ordinance apply to all development subject to the JA-MHC-O, provided, however, that the following requirements shall apply in place of those contained in Sec. 10.2.4, Loss of Legal Nonconformity Status, subsection A:
- a. *Abandonment.* If a Nonconforming Use is replaced with another use or is discontinued for any reason for a period of more than 36 consecutive months, the use shall be considered abandoned. Once abandoned, the legal nonconforming status of the use shall be lost and re-establishment of a Nonconforming Use shall be prohibited. Any subsequent use of the property shall comply with the regulations of the JA-MHC-O.
- E. *Accessory Uses.* Accessory Uses shall be allowed pursuant to Art. 6.5, Accessory Uses, of this Ordinance.

Sec. 5.16.6 DEVELOPMENT STANDARDS AND REQUIREMENTS

A. Residential Density

1. *Maximum Residential Density.* The Density/Intensity and Dimensional Standards listed in Table 5.16-2 of this Article shall apply to all properties in the JA-MHC-O.
2. *Calculation of Residential Density.* Residential density shall be calculated by dividing the number of Lots on a site by the net area (in acres) of highland of the site on which the Lots are located. Net highland acres includes all acreage that is not below the Office of Coastal Resource Management Critical Line or identified as freshwater wetlands. Site Plan Review and Subdivision applications shall include all freshwater wetland metes and bounds, and total freshwater wetland acreage based on a United States Army Corps of Engineers (USACE) Approved Jurisdiction Determination (AJD). Accessory Dwelling Units (ADUs) are not included in the calculation of residential density.

B. Vehicle Access. All Site Plan Review and Subdivision applications shall include access management plans demonstrating compliance with the driveway separation requirements described below:

1. *Driveway Separation.* For driveways directly accessing Maybank Highway, driveway separation shall be a minimum distance of 150 feet from the intersection of the right-of-way lines to the closest edge of driveways. Where the driveway separation is less than 150 feet the proposed driveway shall be designed as a right-in, right-out (RIRO) driveway and conform to the SCDOT standards for a Typical Right-in Right-out Driveway Design.
2. *Driveway Width.* Vehicular access from Maybank Highway and side (secondary) streets to properties shall be confined to access drives not exceeding 30 feet in width at the street line. Driveways which include a median strip to separate traffic flow in opposite directions shall not exceed 60 feet in width at the street line.
3. *Distance between Driveways.* The distance between the proposed driveway and an existing adjacent driveway shall be the greatest distance feasible.
4. *Limitation to Number of Driveways.* For parcels with a right-of-way frontage equal to or less than 150 feet in length, the development is limited to one driveway; for parcels with a frontage greater than 150 feet and less than 300 feet in length, the development is limited to two driveways; for parcels with a frontage equal to or greater than 300 feet, the development may have up to three driveways.
5. *Corner Lots.* Notwithstanding the above stated requirements, access drives on corner lots shall be located only on the side (secondary) street and such driveways shall be a minimum distance of 50 feet from the street intersection as measured from the edge of the intersecting roadway to the beginning of the driveway radius. However, the Zoning and Planning Director may require the access to be located on the primary street to avoid undue interference with, or hazard to, traffic on the roadways.
6. *Shared Access Requirements.* Shared access is encouraged between adjoining parcels. Driveways for all uses except Single-Family Detached Dwellings shall be located in a manner where they can be shared between adjacent parcels as described below:
 - a. The applicant must request a shared access with the adjacent property if the adjacent property does not contain a Single-Family Detached Dwelling.
 - b. Shared access should be located along a common property boundary, if feasible.
 - c. If the owner of the adjacent parcel does not agree to share access, the applicant shall provide one of the following to the Zoning and Planning Department:
 - i. A letter from the adjacent property owner denying access; or
 - ii. If the adjacent property owner refuses to provide a letter, an affidavit that documents attempts that the applicant made to request shared access and that the neighboring property owner refused to provide a letter. If this subsection applies, a new curb cut is permitted on the subject parcel only with a recorded agreement that the property owner will allow adjacent properties to share access when developed and/or redeveloped.
 - d. Shared access agreements shall be recorded with the Register of Deeds (ROD) Office.
 - e. Each parcel involved in a shared access shall be allowed an increase in building cover up to a maximum of 40 percent of the Lot.
7. *Transportation Coordination.* Prior to the issuance of a Certificate of Occupancy, the applicant must show conformance with all requirements included in Letters of Coordination from the South Carolina Department of Transportation (SCDOT), Charleston County Public Works Department, and the Charleston Area Regional Transportation Authority (CARTA).

C. Traffic Impact Analysis

All development applications requiring Site Plan Review shall be subject to the requirements of Article 9.9, Traffic Impact Studies.

D. Pedestrian Access and Sidewalks

1. *On-Site Pedestrian Access.* On-site pedestrian access shall comply with the requirements of this Ordinance and shall be included in site design illustrating access linkage to existing sidewalks, adjacent parcels, and within the development area. At-grade and grade-separated pedestrian walkways shall provide direct connections from the street to the main entrance and to abutting properties. Pedestrian walkways shall be designed and located in a manner that does not require pedestrians to walk through parking lots or within driveways.
2. *Maybank Highway Sidewalk Requirements.* When properties are developed or redeveloped in accordance with Sec. 3.7.1 of this Ordinance, a 10-foot sidewalk shall be constructed in accordance with the right-of-way buffer requirements of this Article. If the appropriate authority denies a request to construct a sidewalk in the public right-of-way, if the required sidewalk will not fit within the existing right-of-way, or if the location of a sidewalk within the public right-of-way would threaten the health of a Grand Tree or is compromised by the location of utilities or other necessary infrastructure, sidewalks shall be placed on private property and the property owner shall record an easement for the safe movement of pedestrians and the maintenance of the sidewalk.
The following shall apply:
 - a) Ten-foot sidewalks located as shown in Figure 1 shall extend the length of the entire Maybank Highway frontage;
 - b) The property owner shall obtain and submit all required encroachment permits as part of the Site Plan Review application;
 - c) The property owner shall provide written documentation from the City of Charleston that the City will maintain the sidewalk(s) upon approval of Certificate(s) of Occupancy. This requirement is applicable regardless of whether the sidewalk is located in a right-of-way or within an easement. Such documentation shall be submitted as part of the Site Plan Review application;
 - d) When sidewalk is located on private property to meet this standard, the property owner shall record an easement for the safe movement of pedestrians and the maintenance of the sidewalk; and
 - e) Sidewalks shall be installed and inspected prior to issuance of Certificate(s) of Occupancy.
3. *All Other Roads.* Sidewalk requirements for all roads in the Overlay Zoning District other than Maybank Highway shall comply with the sidewalk and pedestrian access requirements contained in this Ordinance.

E. Right-of-Way Buffer Requirements

1. *Maybank Highway Right-of-Way Buffer.*
 - a. *Buffer Requirement.* For properties with frontage on Maybank Highway, the right-of-way buffer shown in Figure 1 shall be required when such properties are developed or redeveloped in accordance with Sec. 3.7.1 of this Ordinance.
 - b. *Buffer Description.* The Maybank Highway right-of-way buffer shall be a minimum of 15 feet in depth, and include the following:
 - i. A five-foot planting strip including:
 - a) Two canopy trees or three understory trees per 100 linear feet compliant with the minimum standards of Section 9.5.6, Landscape Material Standards; and
 - b) Street lights subject to the following requirements:
 - 1) Street lights shall be provided as shown in Figure 1 at locations to be determined by the Zoning and Planning Director, provided, however, that property owners shall only be responsible for the street lights located in front of their properties;
 - 2) All required encroachment permits from the SC Department of Transportation shall be included as part of the Site Plan Review application;
 - 3) Property owners/applicants shall provide written documentation stating that they shall be responsible for bearing the costs of the conduit(s) for the required street light(s) and coordinating with Dominion Energy to erect the lights prior to the issuance of Certificate(s) of Occupancy;

- 4) Street lights shall have octagonal heads as defined by the Dominion Energy’s light palette and shall be placed on seventeen-foot tall fluted poles. Should these designs/light types no longer be in existence at the time of land development application, the Zoning and Planning Director shall determine the appropriate pedestrian scale fixture to be used;
 - 5) Street lights shall be installed prior to issuance of Certificate(s) of Occupancy; and
 - 6) The property owner shall provide written documentation that the development/redevelopment will comply with the above-stated requirements. Such documentation shall be submitted as part of the Site Plan Review application.
- ii. A 10-foot sidewalk shall be installed subject to the requirements of Sec. 5.16.5.D.2, Sidewalk Requirements.

2. *Other Right-of-way Buffer and Sidewalk Requirements.* Right-of-way buffer and sidewalk requirements for all roads in the Overlay Zoning District other than Maybank Highway shall comply with Chapter 9 of this Ordinance.

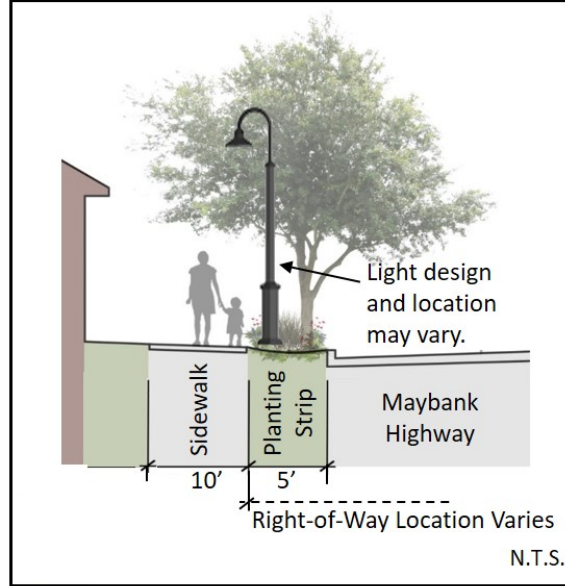


FIGURE 1
 RIGHT-OF-WAY BUFFER, MAYBANK HIGHWAY

F. Signs

All signage must comply with the requirements of this Section in addition to the applicable requirements of Art. 9.11, Signs, of this Ordinance.

1. Free-standing Signs.
 - a. All new freestanding signs must be designed as monument signs.
 - i. Signs shall have a maximum height of 8 feet and a maximum size of 40 square feet.
 - ii. Shared free standing signs shall be allowed with a maximum height of 10 feet and a maximum size of 60 square feet.
 - b. All sign illumination:
 - i. Illuminated signs located adjacent to any residential area shall be controlled so as not to create excessive glare to properties within adjacent residential areas.
 - ii. Electronic Copy Readerboard signs and Billboards are prohibited.
 - iii. No illumination that simulates traffic control devices or emergency vehicles shall be used.
 - iv. All illumination must be from a steady, stationary light source.
 - v. Internal illumination:
 - a) Internally illuminated signs must be constructed of routed aluminum or similar opaque material so that only letters, numbers, and/or logos are illuminated.
 - b) Signs shall not have light reflecting backgrounds or letters.
 - c) Only matte finishes shall be used.
 - vi. External illumination:
 - a) Illumination shall be from a steady stationary light source, shielded and directed solely at the sign.
 - b) Light sources to illuminate signs shall be shielded as to not cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.
 - c) The intensity of light shall not exceed twenty (20) footcandles at any point on the sign face.
 - d) The color of the light sources to illuminate signs shall be white.
 - e) Signs shall not have light-reflecting backgrounds or letters.

- c. Nonconforming Signs
 - i. All signs made nonconforming by the adoption of this Article on [Date of Adoption] pursuant to Art. 10.5, Nonconforming Signs, of this Ordinance, must come into compliance with the requirements of this Article prior to the issuance of a Zoning Permit for: (1) a new business on the property; and/or (2) all changes other than re-facing and/or the required addition of pole covers as described in subsection ii below.
 - ii. A Nonconforming Sign may be re-faced without complying with the sign requirements of this Article provided a pole cover is added to the existing poles in compliance with the following requirements:
 - a) The pole cover shall be at least one-third the width of the sign cabinet; and
 - b) The pole cover shall be at least one-third the overall height of the pole sign, provided the pole cover shall not exceed 8 feet in height.
- 2. Wall Signs.
 - a. The maximum size of a wall sign shall be in accordance with Table 9.11.4, Wall/Façade Signs, of this Ordinance.
 - b. In new multi-tenant developments, such as shopping centers and office parks, all tenant signs are to be similar in type, color, font size, font style, and method of illumination.
 - c. New tenant signs in existing multi-tenant developments shall be consistent with the type and method of illumination of existing tenant signs.

G. Density, Intensity and Dimensional Standards.

The following Density/Intensity and Dimensional Standards shall apply to properties in the JA-MHC-O:

| Table 5.16-2 Density/Intensity and Dimensional Standards | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| MAXIMUM RESIDENTIAL DENSITY | 8 Dwelling Units per acre [1] |
| MINIMUM LOT WIDTH | 12 feet |
| MINIMUM SETBACKS | Equivalent to required buffers |
| OCRM CRITICAL LINE | 50 feet |
| MAXIMUM BUILDING COVER | 30% [2] |
| MAXIMUM INDIVIDUAL BUILDING FOOTPRINT | 7,500 square feet [3] |
| MAXIMUM BUILDING HEIGHT | 35 feet and 2-1/2 stories |
| [1] Increased densities may be allowed pursuant to the requirements of Article 6.4.19 of this Ordinance. [2] Parcels involved in a shared access agreement are allowed a maximum building cover of 40 percent, per <i>Sec. 5.16.5.B, Vehicle Access</i> . [3] No individual building footprint shall exceed 7,500 square feet unless approved pursuant to the Special Exception procedures of this Ordinance. | |

H. Special Stormwater Requirements

Construction activities occurring on properties within the JA-MHC-O may be subject to Special Protection Area stormwater design criteria as described in the most recent edition of the *Charleston County Stormwater Program Permitting Standards and Procedures Manual*.

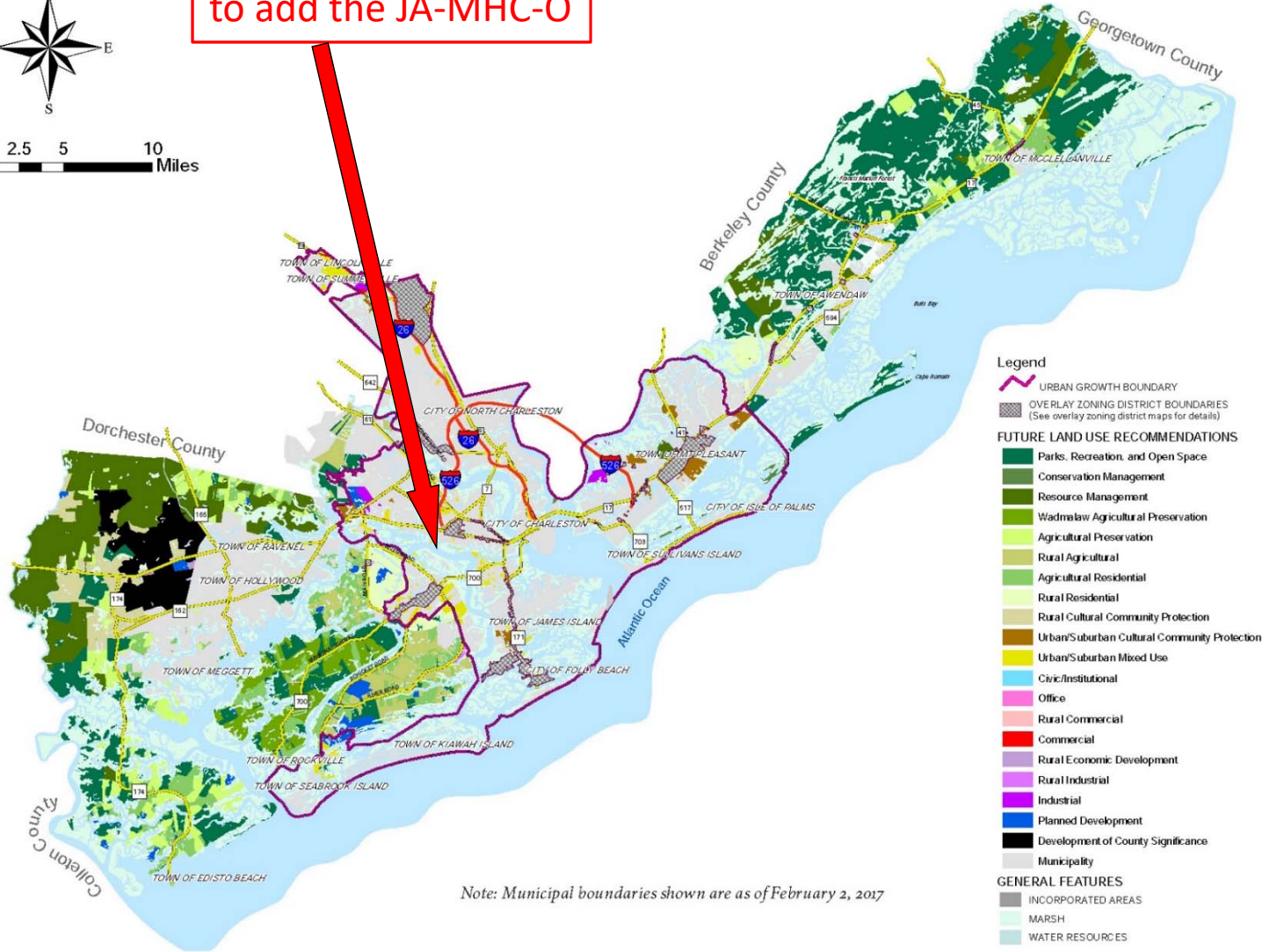
**James Island Maybank
Highway Corridor
Overlay Zoning
District: Draft
Comprehensive Plan
Amendments**

MAP 3.1.4: FUTURE LAND USE

Update Map 3.1.4:
Future Land Use
to add the JA-MHC-O



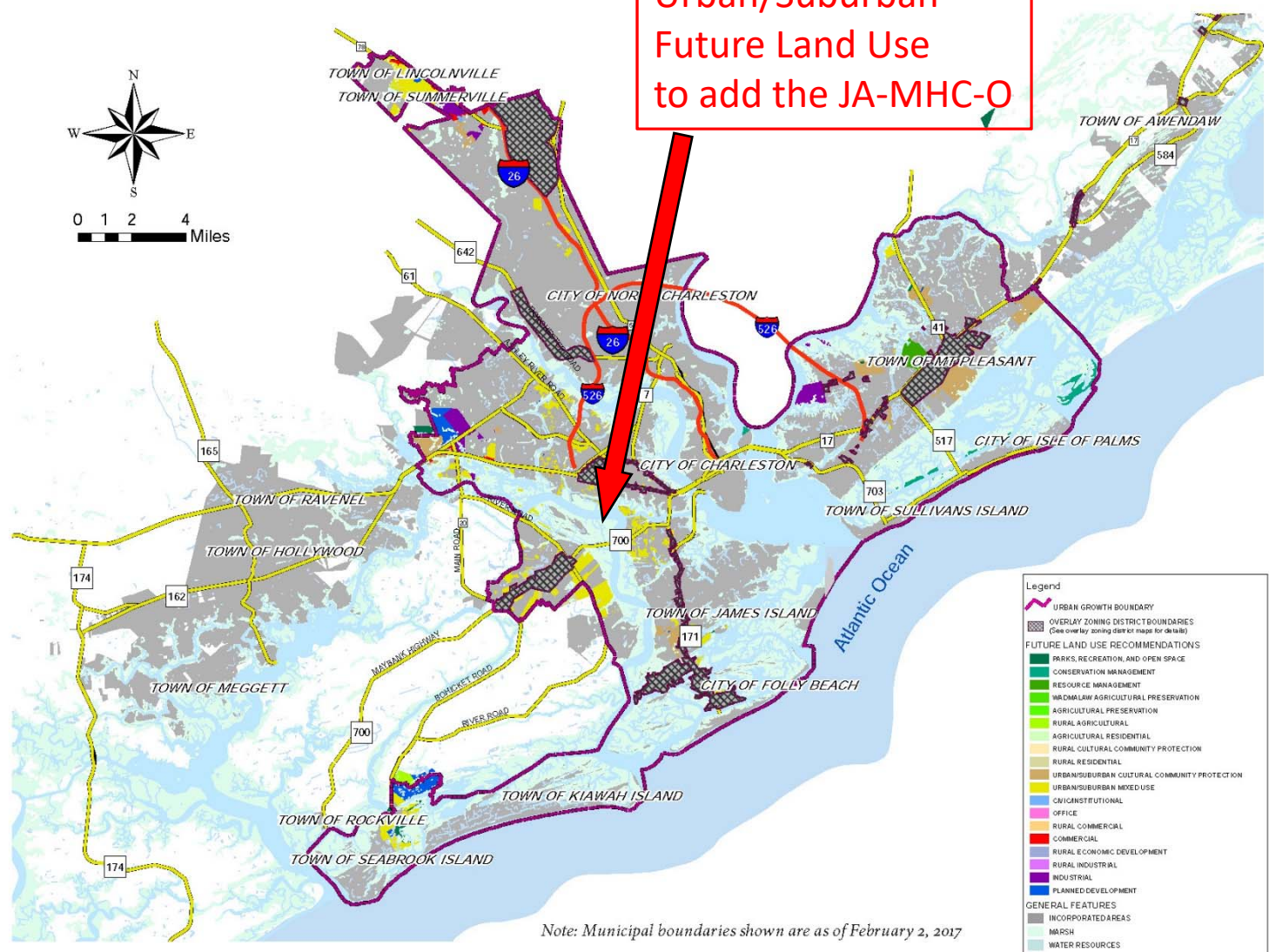
0 2.5 5 10
Miles



Note: Municipal boundaries shown are as of February 2, 2017

MAP 3.1.5: URBAN/SUBURBAN FUTURE LAND USE DETAIL

Update Map 3.1.5:
Urban/Suburban
Future Land Use
to add the JA-MHC-O



Note: Municipal boundaries shown are as of February 2, 2017

Incorporate Map 3.1.17: James Island Maybank Highway Corridor Overlay Zoning District

Map: 3.1.17: James Island Maybank Highway Corridor Overlay Zoning District

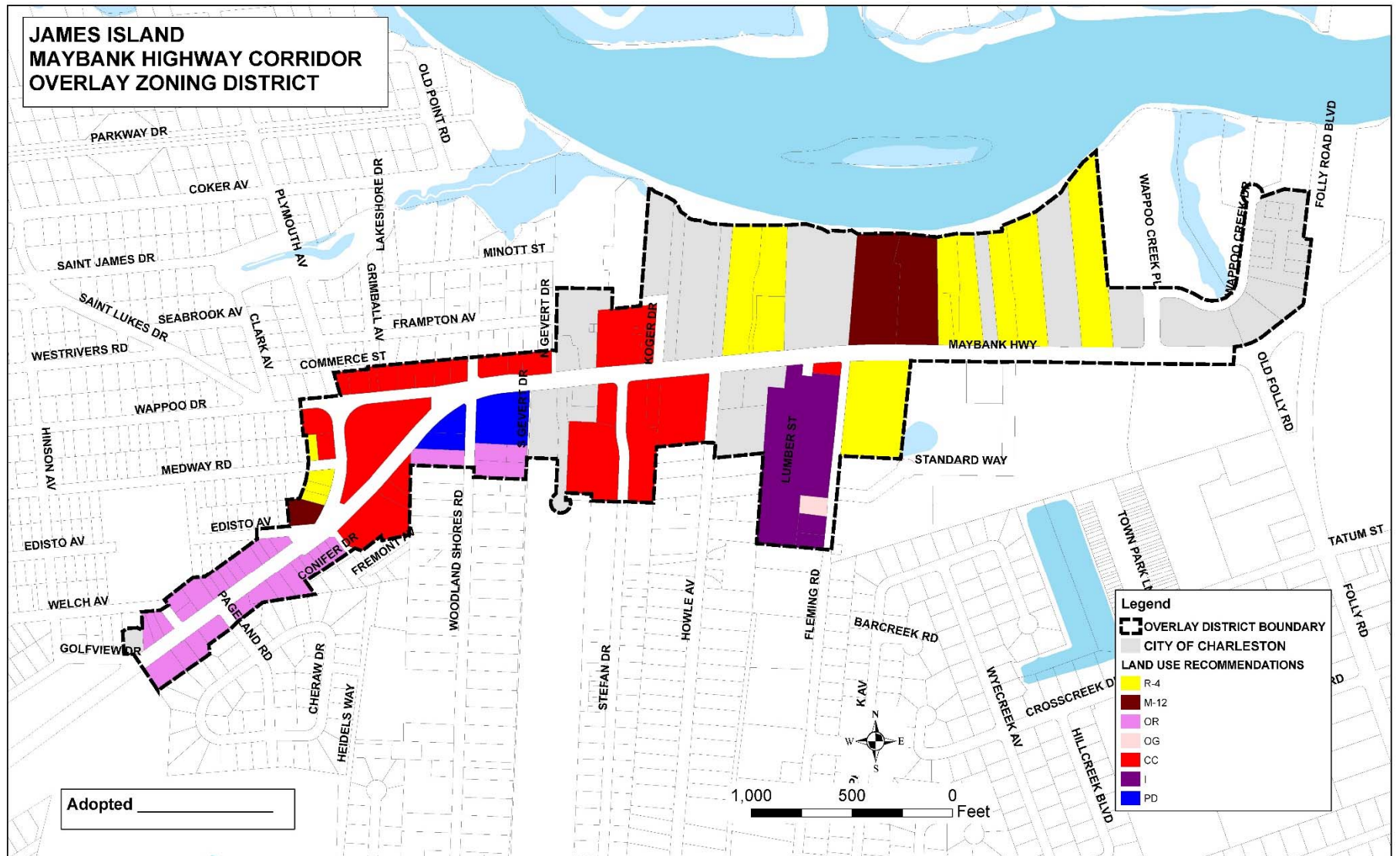


TABLE 3.9.1: PROJECT STATUSES FOR 2013-2014 FIVE-YEAR REVIEW PRIORITY RECOMMENDATIONS

| Project | Intergovernmental Coordination | Project Status |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed Spring Grove Development (formerly East Edisto) | Towns of Hollywood, Meggett, and Ravenel | Development Agreement, Development of County Significance, and Form-Based Zoning District Adopted. Project development plan review will continue through 50-year life of the Development Agreement |
| Historic Resources Survey Update | State Historic Preservation Office | Completed in 2016 |
| West Ashley Consistency Review | City of Charleston | Completed DuPont Wappoo Community Plan and Overlay Zoning District in 2016; participating in City of Charleston West Ashley Master Plan project |
| Rural Area Cultural Community Protection Overlay Zoning District (Parkers Ferry Area) | Applicable jurisdictions and service providers | Completed in 2017 |
| ReThink Folly Road Implementation | City of Charleston, Town of James Island, City of Folly Beach, and service providers | Plan adopted in 2016; implementation included in 2018-2023 Work Plan |
| ZLDR Comprehensive Review | All municipalities and service providers within Charleston County | Began in 2017; included in 2018-2023 Work Plan as it is a year project |
| Urban/Suburban Area Cultural Community Protection Overlay Zoning District | Applicable jurisdictions and service providers | Completed Sol Legare Community Plan and Overlay Zoning District in 2018; other communities included in 2018-2023 Work Plan |
| Implementation of Urban/Suburban Future Land Use Designation | All municipalities within the Urban Growth Boundary | Included in 2018-2023 Work Plan as part of the ZLDR Comprehensive Review Project |
| Implementation of the Rural Residential Future Land Use Designation | City of Charleston and Town of Mount Pleasant | Included in 2018-2023 Work Plan as part of the ZLDR Comprehensive Review Project |
| Maybank Highway Corridor Overlay Zoning District (consistency review with the Johns Island Plan and extension onto James Island) | City of Charleston | Included in 2018-2023 Work Plan |
| Main Road (River Road to Maybank Highway, including Kitford Road Area) | City of Charleston | Included in 2018-2023 Work Plan |
| Mount Pleasant Overlay Zoning District - Sweetgrass Basket Stand Special Consideration Area | Town of Mount Pleasant | Included in 2018-2023 Work Plan |
| Reinforce the location of the Urban Growth Boundary | City of Charleston, City of North Charleston, Town of Mount Pleasant, and relevant service providers | Included in 2018-2023 Work Plan |
| Voluntary Agricultural and Forestal Areas Ordinance | Applicable jurisdictions | Included in 2018-2023 Work Plan |

In Table 3.9.1, update the Project Status column to show “Completion of the James Island Maybank Highway Corridor Overlay Zoning District”

Note: Projects listed above are in addition to staff’s daily permitting and application review functions, such as zoning permit review and issuance; review of variance, special exception, appeals, rezoning, planned development, subdivision, and site plan review applications; preparation of staff reports for Board of Zoning Appeals, Planning Commission, and County Council; pre-application meetings with applicants and property owners; code enforcement; and addressing. The County Planning Department also provides similar services to the Towns of Kiawah Island, Meggett, Ravenel, and Rockville.

TABLE 3.9.2: 2018-2023 PRIORITY RECOMMENDATIONS

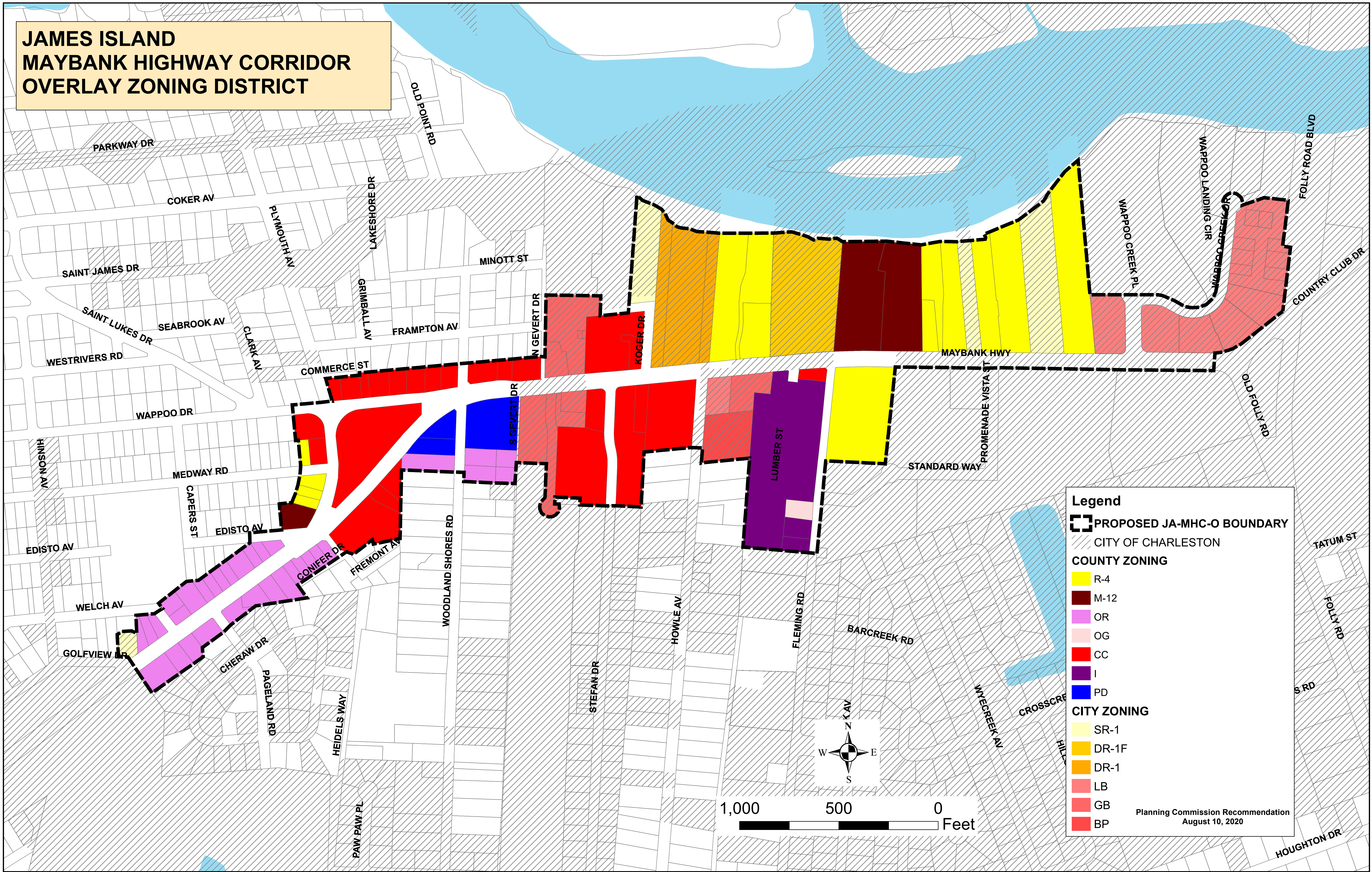
| | Project | Recommended Time Frame* | Intergovernmental Coordination |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------|
| 1 | ZLDR Comprehensive Review | 2-3 Years | All municipalities and service providers within Charleston County |
| 2 | Maybank Highway Corridor Overlay Zoning District (consistency review with the Johns Island Plan and extension onto James Island) & Main Road (River Road to Maybank Highway, including Kitford Road Area) | 1-2 Years | City of Charleston |
| 3 | Mount Pleasant Overlay Zoning District - Sweetgrass Basket Stand Special Consideration Area | 1-2 Years | Town of Mount Pleasant |
| 4 | Urban/Suburban Area Cultural Community Protection Overlay Zoning Districts for Historic African-American Communities, as identified in the 2016 Charleston County Historic Resources Survey Update (e.g. Phillips, Snowden, Ten Mile, Grimball Farm, etc.) | 2-3 Years | Applicable jurisdictions |
| 5 | Reinforce the location of the Urban Growth Boundary | 1-2 Years | City of Charleston, City of Mount Pleasant, and Town of Mount Pleasant |
| 6 | Coordinate with Charleston County Economic Development Department to identify economic development opportunities in the Western area of Charleston County | 1-2 Years | Towns of Hollywood and Mount Pleasant |
| 6 | Future Land Use Consistency Review in Highway 78 Area | 2-3 Years | Town of Lincolnville, Berkeley County |
| 7 | Community Resiliency Element for Comprehensive Plan | 2-3 Years | All municipalities and service providers within Charleston County |
| 8 | Voluntary Agricultural and Forestal Areas Ordinance | 1-2 Years | Applicable jurisdictions |
| 9 | Wadmalaw Island Community Plan | 2-3 Years | |
| 10 | Edisto Island ZLDR/Comprehensive Plan Amendments | 2-3 Years | |
| 11 | Implementation of adopted Community Plans (e.g. DuPont Wappoo, Parkers Ferry, Sol Legare) | Ongoing | Applicable jurisdictions |
| 12 | ReThink Folly Road Implementation | Ongoing | City of Charleston, Town of James Island, City of Folly Beach, and service providers |
| 13 | 2016 Charleston County Historic Resources Survey Update Implementation | Ongoing | Applicable jurisdictions and State Historic Preservation Office |

*Time frame based on availability of adequate resources, to be directed and reviewed annually by County Council.

In Table 3.9.2, update the Recommended Project column to remove the reference to the James Island Maybank Highway Corridor Overlay Zoning District.

**DRAFT JAMES
ISLAND MAYBANK
HIGHWAY CORRIDOR
OVERLAY ZONING
DISTRICT
BOUNDARY MAP**

JAMES ISLAND MAYBANK HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT



Legend

- PROPOSED JA-MHC-O BOUNDARY
- CITY OF CHARLESTON

COUNTY ZONING

- R-4
- M-12
- OR
- OG
- CC
- I
- PD

CITY ZONING

- SR-1
- DR-1F
- DR-1
- LB
- GB
- BP

Planning Commission Recommendation
August 10, 2020

**Draft James Island
Maybank Highway Corridor
Overlay Zoning District:
ZLDR Related Amendments**

Amend Sec. 8.4.2.A.4.j, as follows:

CHAPTER 8 | SUBDIVISION REGULATIONS

ARTICLE 8.4 PRELIMINARY PLAT

§8.4.2.A.4 Application; Requirements

A. Requirements

The following shall be submitted:

4. The following information shall be required on each plat:

- j. ***United States Army Corps of Engineers Jurisdictional Determination.*** A United States Army Corps of Engineers (USACE) jurisdictional determination is not required for approval of a subdivision plat application except: ***(1) as required for the Main Road Corridor Overlay Zoning District, James Island Maybank Highway Corridor Overlay Zoning District, and Johns Island Maybank Highway Overlay Zoning District; and (2)*** that an Accurate-Approved jurisdictional determination is required for areas located within proposed publicly dedicated rights-of-way and/or easements prior to Preliminary Plat approval. (...)

Amend Sec. 8.9.2.B.9, as follows:

CHAPTER 8 | SUBDIVISION REGULATIONS

ARTICLE 8.5 FINAL PLATS

§8.5.2.B Application;

B. The Final Plat Shall Show the Following:

9. ***United States Army Corps of Engineers Jurisdictional Determination.*** A United States Army Corps of Engineers (USACE) jurisdictional determination is not required for approval of a subdivision plat application except: ***(1) as required for the Main Road Corridor Overlay Zoning District, James Island Maybank Highway Corridor Overlay Zoning District, and Johns Island Maybank Highway Overlay Zoning District; and (2)*** that an Accurate-Approved jurisdictional determination is required for areas located within proposed publicly dedicated rights-of-way and/or easements prior to Final Plat approval. (...)

Amend Sec. 9.5.4, Table 9.5.4.A.3, Buffer Types by Roadway, as follows:

Roadway:

Replace: ~~Maybank Highway (James Island)~~

With: **Maybank Highway Corridor Overlay Zoning District (James Island)**

Buffer Type:

Replace: ~~S1~~

With: **[4]**

Footnote [4]: **Buffer type as described in the James Island Maybank Highway Corridor Overlay District**

| Table 9.5.4.A.3, Buffer Types by Roadway | | | |
|---------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------|------------|
| ROADWAY | BUFFER TYPE | ROADWAY | |
| Abbapoola Road | S4 | Magwood Road | S3 |
| Ashley Hall Road | S1 | Main Road (Limehouse <u>Bridge</u> to Maybank Hwy.) | S5 |
| Hwy. 61/Ashley River Road (Saint Andrews Boulevard to Sam Rittenberg Boulevard) | S1 | Main Road (Bees Ferry Road to Limehouse <u>Bridge</u>) | S4 |
| Hwy. 61/Ashley River Road (Sam Rittenberg Boulevard to Mark Clark Expressway) | S2 | Manse Road | S4 |
| Hwy. 61/Ashley River Road (Church Creek to Muirfield Parkway/MacLaura Hall Ave.) [1] | S5 | Mary Ann Point Road | S3 |
| Hwy. 61/Ashley River Road (Muirfield Parkway/ MacLaura Hall Avenue intersection to Charleston County Line)[1] | S6 | Mathis Ferry Road [1] | S4 |
| Bears Bluff Road | S5 | Maybank Highway Corridor Overlay District <i>[Johns Island]</i> | [2] |
| Bees Ferry Road | S4 | Maybank Highway Corridor Overlay Zoning District [James Island] | [4] |
| Belvedere Road | S4 | Maybank Hwy (Main Road to Rockville) | S5 |
| Betsy Kerrison Parkway [1] | S5 | Meeting <u>Street</u> | S1 |
| Bohicket Road [1] | S5 | Murraywood Road | S4 |
| Botany Bay Road | S4 | Old Georgetown Road | S4 |

4. Buffer type as described in the James Island Maybank Highway Corridor Overlay District

Public Input

From: [Veronica White](#)
To: [CCPC](#)
Subject: JA-MAC-O
Date: Friday, August 07, 2020 11:29:00 AM

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

Hi, I live on James Island and I support your bicycle and pedestrian improvements along Maybank Highway. I do ask that the city and county be required to immediately implement a uniform multi modal path along the corridor. We shouldn't have to wait.

I also ask, from the bottom of my heart, to have more enforcement of speeding from the bridge to the a police station/Harris Teeter. Most do not follow the speed limit which makes accidents fatal and we've had many fatal accidents. The SCDOT told me that speeding needed to be enforced which seems like an easy task since the station is right there.

Thank you for your time and attention to this matter.

Veronica White

--

Kindly, Veronica

From: [Aaron Bowman](#)
To: [CCPC](#)
Subject: James Island Maybank Highway Corridor Overlay comments
Date: Friday, August 07, 2020 9:44:41 AM

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Dear Planning Commission Members,

I am a resident of the City of Charleston and I live on Medway Road, in Riverland Terrace, very close to the border of the proposed overlay district. In reviewing the proposal online, I have the following comments:

- Overall I support the Overlay District
- I believe that the alignment of land use regulations across a variety of jurisdictions will enhance future development and quality of life
- The change to RO zoning will not negatively impact the neighborhood, however requirements for site access design, parking, and signage should be further clarified as this section of Maybank is not the same character as the eastern side of the overlay district.
- The bicycle and pedestrian improvements will greatly enhance safety and mobility for residents, but it should not be solely incumbent on private developers to incorporate the improvements. This will only result in more of the "sidewalks to nowhere" that exist throughout our community. I would encourage the City and County to move forward with planning and implementing a multi-modal path throughout the district.
- Additional traffic calming measures throughout this district will be required to support proposed improvements, including additional pedestrian crossing markings, signage, and signals.
- The requirement that Special Protection Area stormwater design be "at the discretion of the Public Works Department" is overly vague and should be further clarified for both existing property owners and future developers. This is a significant cost increase to development, which should be clear to any potential property buyers. Failure to implement also represents a risk for existing property owners within the district. Historical data and flood maps are available to determine likelihood of stormwater impacts. This information should be evaluated and used to determine a threshold for application of these regulations.
- Requiring traffic impact studies is a good step to understanding impacts on the neighborhood. Additional study of existing roads within adjacent neighborhoods may yield opportunities to reorganize traffic with road closures and directional changes that provide better opportunities for pedestrians and safer traffic patterns.

Thank you for your consideration. I look forward to your approval of this Overlay District and further clarifications of the items above.

AARON BOWMAN, AIA, SEED, LEED AP | Architect

liollo architecture

147 Wappoo Creek Drive | Suite 400 | Charleston SC 29412
843.762.2222 | liollo.com

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Please delete & notify sender if received in error.

From: [Gillian Mark](#)
To: [CCPC](#)
Subject: Maybank Highway and Main Road, James/Johns Islands.
Date: Thursday, August 06, 2020 9:34:05 PM

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Planning Commissioners:

Regarding the James Island Maybank Highway Corridor Overlay, we are very close neighbors of Maybank Highway and Folly Road and have attended almost all public meetings to learn about this and other projects, past and future.

We wholeheartedly support the bicycle and pedestrian improvements, and request that the City and County immediately implement a unified multi-modal path along the corridor. We don't want to wait for new developments to provide safe transportation infrastructure. It has become dangerous and unpleasant to navigate this area, and these changes would be so welcome.

In addition, in regard to the Johns Island Main Road Corridor Overlay we request that you require that the Johns Island recommendations from the Dutch Dialogues report be included to prohibit any new development below 6 feet Mean Sea Level (MSL) and limit development below 15 feet MSL.

We are very grateful for the time you have spent informing the public on these projects and truly hope they can come to fruition.

Sincerely,

Gillian and Tony Mark

From: [Sarah Romano](#)
To: [CCPC](#)
Subject: James Island Maybank Highway Corridor Overlay
Date: Thursday, August 06, 2020 7:59:09 AM

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Hello,

I am a resident of James Island (Marlborough neighborhood) and I wanted to write to let the Planning Commissioners know that I support the bicycle and pedestrian improvements, but ask that the City and County be required to move forward immediately to implement a unified multi-modal path along the corridor. Residents shouldn't have to wait for new developments to provide safe transportation infrastructure.

Thank you for your consideration.

Sincerely,

Sarah Romano
1809 Kempton Ave
Charleston, SC 29412

From: [Robert Williams](#)
To: [CCPC](#)
Subject: James Island Overlay Districts comment
Date: Wednesday, August 05, 2020 7:34:39 PM

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While the James Island overlay addresses many good issues, there has been no movement to make Riverland Rd safe for pedestrians and bikers. A large group of low socio-economic families live along Riverland Rd and have no way to get to stores, county park or school unless driven by car. The road is breaking up continually, has no shoulders and is particularly dangerous at night.

Rob Williams
734 Goodlet Cir
Charleston 29412
270-293-1502

From: [Elizabeth Duggan](#)
To: [CCPC](#)
Subject: JA-MHC-O ---YES!
Date: Wednesday, August 05, 2020 6:37:00 PM

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Thank you for finally masterplanning the Ugliest James Island corridor. Now businesses can pay to make the avenue on Maybank attractive as they invest in the area.

Elizabeth Duggan
1089 Maybank (Owner)

From: [Daniel Duggan](#)
To: [CCPC](#)
Subject: JA-MHC-O YES YES YES
Date: Wednesday, August 05, 2020 10:44:07 AM

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Thank you for cleaning up this Maybank Hwy eyesore and allowing businesses to pump in money to create a beautiful landscaped entrance to James Island!!!

Dan Duggan
Owner
2089 Maybank Highway