## Post & Courier

# CHARLESTON COUNTY COUNCIL PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT AND ZONING AND LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT Tuesday, February 13, 2018 at 6:30 PM

Charleston County Council will hold a public hearing on Tuesday, February 13, 2018 at 6:30 pm in County Council Chambers (located on the second floor of Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, North Charleston, SC 29405) on proposed amendments to the *Charleston County Comprehensive Plan and Charleston County Zoning and Land Regulations Ordinance* (ZLDR) to adopt the Sol Legare Community Plan and Overlay Zoning District. This public hearing was rescheduled from Tuesday, January 9, 2018.

More information may be obtained on-line at the Charleston County Web Site (www.charlestoncounty.org) or by contacting the Charleston County Planning Department at (843) 202-7200. 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

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Kristen L. Salisbury Clerk of Council

#### SOL LEGARE COMMUNITY PLAN AND OVERLAY ZONING DISTRICT CASE HISTORY

Public Hearing: February 13, 2018
Planning/Public Works Committee: February 22, 2018

1<sup>st</sup> Reading: February 27, 2018

2<sup>nd</sup> Reading: March 13, 2018

3<sup>rd</sup> Reading: March 27, 2018

#### **Project Overview and History:**

The Sol Legare Community Plan project area includes the Sol Legare peninsula, which is located on James Island, just north of Folly Beach. The community is wholly located in unincorporated Charleston County and is bordered by Kings Flat Creek on the south side; the Stono River on the west side; and Holland Island Creek on the north side. The sole access into the community is from Folly Road. The community was first formed post-Reconstruction Era by African-Americans, many of whom had worked on the plantations in the area. The development patterns are unique, in that parcels were created as "long-lot farms" with access along Sol Legare Road and stretching back to Holland Island Creek. This unique lot design, along with the placement of buildings and structures in a way that supports the social values of the Gullah Geechee culture, make Sol Legare a historically significant community, as noted in the 2016 Charleston County Historic Resources Survey Update.

In recent years, Sol Legare residents have voiced concerns to County Council members and planning staff regarding the preservation of their community and the need for improved public services. County Council directed staff to work with the community to identify the community's needs and desires and to create a plan for addressing concerns. From 2013 to 2017, County Council Member Anna Johnson, Planning Commission Member Sussan Chavis, and planning staff worked with residents, property owners, and the Concerned Citizens of Sol Legare community association to conduct a community survey to better understand the concerns and desires of the residents. Based on input gathered during public workshops and the community survey, the Sol Legare Community Plan was created. In June 2017, the Plan was presented to the community during a public workshop, with over 100 residents in attendance. The community overwhelmingly supported the Plan, which contains strategies to address planning and zoning issues, public works and transportation issues, public service provisions, and community specific strategies.

Once the community approved of the Plan, planning staff began working on the Sol Legare Community Overlay Zoning District, to implement Strategy 2.1 of the Plan, which states, "Adopt amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), including but not limited to an overlay zoning district, as applicable."

The Sol Legare Community Overlay Zoning District addresses the subdivision and land use issues identified by the community. It includes a more flexible subdivision option for residents. It also designates properties that formerly housed commercial uses as a Commercial zoning designation to allow these businesses to reopen or redevelop to serve the community. Planning staff presented the Overlay Zoning District to the community on October 30, 2017. Approximately 100 community members were in attendance, and residents asked many questions about the overlay. In the end, the vast majority of attendees were in support of the draft regulations.

The Sol Legare Community Plan and Overlay Zoning District are the result of a four year-long collaborative planning process including input from hundreds of residents and property owners, business owners, and stakeholders. Staff has worked closely with the Concerned Citizens of Sol Legare community association to ensure the process was citizen-led.

The attached packet includes:

 Notification letter/email that was sent to nearly 900 residents, property owners, business owners, and interested parties in November 2017;

- Notification letter/email that was sent to nearly 900 residents, property owners, business owners, and interested parties on January 3, 2018 to inform of the postponed public hearing date;
- Draft Sol Legare Community Plan;
- Draft Sol Legare Overlay Zoning District Text and Map;
- · Letters received from the public regarding this project; and
- List of properties for which the Commercial zoning designation is proposed as part of this process.

#### **Notifications**

To advertise the date and time of the Planning Commission meeting and County Council Public Hearing, 878 letters/emails were sent to owners of unincorporated property located within the project boundary and all persons included on the County's James Island, Sol Legare, and Comprehensive Plan/ZLDR Interested Parties' Lists on November 22, 2017. On November 27, 2017, 19 letters/emails were sent to owners of property within 300 feet of the project boundary. Advertisements ran in the *Post & Courier* on November 24, 2017 and December 8, 2017. On December 13, 2017, approximately 350 signs were posted on the subject properties.

To notice the postponed public hearing, 897 letters and emails were sent on January 3, 2018 to owners of unincorporated property located within the project boundary; all persons included on the County's James Island, Sol Legare, and Comprehensive Plan/ZLDR Interested Parties' List; and owners of property within 300 feet of the project boundary. An ad ran in the *Post & Courier* on January 5, 2018, and approximately 350 signs were posted on the subject properties on January 18, 2018.

#### **Public Input**

- The owner of the Backman's Seafood, Sammy Backman, provided a letter requesting a Commercial zoning designation for the following properties: TMS 331-05-00-008; TMS 331-05-00-007; 331-05-00-009; 331-05-00-021; and 331-05-00-014. These properties are proposed to be Commercial in the Overlay Zoning District, and this letter is included in this packet.
- Two emails in opposition have been received and are included in this packet.

#### **Staff Recommendation:**

Approval/adoption of the following:

- Sol Legare Community Plan
- ZLDR Text and Map Amendments to incorporate the Sol Legare Overlay Zoning District
- Comprehensive Plan Amendment

#### Planning Commission Recommendation: December 11, 2017

#### Recommendation: Approval of the following items (vote: 9-0)

- Sol Legare Community Plan
- ZLDR Text and Map Amendments to incorporate the Sol Legare Overlay Zoning District
- Comprehensive Plan Amendment

#### Speakers:

• Eight citizens spoke in support of the community plan and overlay zoning district. Approximately 35 additional citizens raised their hands in support.

• Five citizens spoke with concerns regarding: crime in the Mosquito Beach area and opposition to the commercial zoning of Mosquito Beach; trash near the boat landing; emergency service provision along some of the ancillary roads; limited hours of operation for commercial businesses; and the reduction of the OCRM Critical Line setback.

#### **Notifications:**

On November 22, 2017, 878 letters/emails were sent to owners of unincorporated property located within the project boundary and all persons included on the County's James Island, Sol Legare, and Comprehensive Plan/ZLDR Interested Parties' Lists. On November 27, 2017, 19 letters/emails were sent to owners of property within 300 feet of the project boundary. On November 24, 2017, an advertisement ran in the *Post & Courier*.

#### Public Hearing: January 9, 2018

County Council postponed the public hearing to February 13, 2018.

#### Public Hearing: February 13, 2018

#### **Notifications:**

On January 3, 2018, 897 letters/emails were sent to owners of unincorporated property located within the project boundary; all persons included on the County's James Island, Sol Legare, and Comprehensive Plan/ZLDR Interested Parties' Lists; and owners of property within 300 feet of the project boundary. On January 5, 2018, an advertisement ran in the *Post & Courier* and approximately 350 signs were posted on the subject property on January 18, 2018.

#### **MEETING NOTIFICATION**

Regarding the following request:

Proposed amendments to the Charleston County Comprehensive Plan and Charleston County Zoning and Land Regulations Ordinance (ZLDR) to adopt the Sol Legare Community Plan and Overlay Zoning District



To:

Lonnie Hamilton, III
Public Services Building,
4045 Bridge View Drive
North Charleston, SC 29405-7464
843.202.7200,
Fax: 843.202.7222
Joel Evans, PLA, AICP
Zoning/Planning Department Director

January 3, 2018

#### NOTIFICATION OF POSTPONEMENT

Recently you were notified of the Charleston County Public Hearing scheduled for **January 9**, **2018** regarding the request listed above. At the request of County Council, the Public Hearing has been postponed (new meeting date and time listed below).

Case information will be available online at: <a href="http://www.charlestoncounty.org/departments/zoning-planning/index.php">http://www.charlestoncounty.org/departments/zoning-planning/index.php</a> prior to the public hearing. Information can also be viewed at the offices of the Zoning and Planning Department (843-202-7200), 1st Floor, Lonnie Hamilton III Public Services Building, 4045 Bridge View Drive, North Charleston, SC, 29405.

Lengthy presentations should be submitted in writing to the Clerk of Council (843-958-4030) in advance of the meeting date set forth below.

Joel Evans, PLA, AICP

Jael H. Evens

JHE/file

COUNTY COUNCIL ZONING PUBLIC HEARING

February 13, 2018
6:30 p.m.
Council Chambers, Room 249
Lonnie Hamilton, III Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405



Joel H. Evans, PLA, AICP Planning Director 843.202.7200 Fax: 843.524.7222 Lonnie Hamilton III Public Services Building 4045 Bridge View Drive, Suite B232 North Charleston, SC 29405

November 22, 2017

# CHARLESTON COUNTY PLANNING COMMISSION MEETING AND COUNTY COUNCIL PUBLIC HEARING NOTIFICATION: SOL LEGARE COMMUNITY PLAN AND OVERLAY ZONING DISTRICT (SL-O)

Charleston County Government will consider adopting the **Sol Legare Community Plan and Overlay Zoning District (SL-O)**, which includes amendments to the *Charleston County Comprehensive Plan* and *Charleston County Zoning and Land Development Regulations Ordinance* (ZLDR). The dates, times, and locations of the Planning Commission meeting and County Council Public Hearing regarding these amendments are listed below. All meetings are open to the public and public comments are invited. The map located on the back of this letter illustrates the Sol Legare Overlay Zoning District project boundary. You are receiving this letter for one of the following reasons: (1) you own property located within or adjacent to the project boundaries; (2) you attended one or more workshops regarding this project; and/or (3) you have requested to be included on one or more County interested parties' list.

# December 11, 2017 at 2:00 PM Planning Commission Meeting

Council Committee Room B-225 (2<sup>nd</sup> Floor) 4045 Bridge View Drive, North Charleston, SC 29405

# January 9, 2018 at 6:30 PM County Council Public Hearing

Council Chambers (2<sup>nd</sup> Floor) 4045 Bridge View Drive, North Charleston, SC 29405

The Sol Legare Community Plan, proposed Overlay Zoning District, and related documents are available online at <a href="https://www.charlestoncounty.org/departments/zoning-planning/projects-slcp.php">https://www.charlestoncounty.org/departments/zoning-planning/projects-slcp.php</a> or by contacting the Charleston County Zoning and Planning Department (Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, North Charleston, SC). Questions regarding parcels within the project boundaries may be directed to Andrea Harris-Long with the Charleston County Zoning and Planning Department at (843) 202-7203 or <a href="mailto:aharris@charlestoncounty.org">aharris@charlestoncounty.org</a>.

Joel Evans, PLA, AICP

Joel H. Evans

JHE/file

Preserving the history and culture of a small historic African-American community on James Island













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#### **Plan Overview**

The Sol Legare Community project area is located on James Island, just north of Folly Beach. The community is wholly located in unincorporated Charleston County and is bordered by Kings Flat Creek on the southside; the Stono River on the west side; and Holland Island Creek on the northside. The sole access into the community is from Folly Road.

In recent years, Sol Legare residents have voiced concerns regarding the preservation of their community and various public service needs to Charleston County staff and Council members, and subsequently, Council directed staff to work with the community to identify what the community's needs and desires are and to create a plan to address concerns. Staff worked with the community, Planning Commission member Sussan Chavis, and Council Member Anna Johnson to undergo a planning process resulting in this Plan, which highlights Sol Legare's history, assets, and opportunities, while also promoting preservation of the historic and cultural community values. Furthermore, this Plan identifies strategies that allow Sol Legare to continue to prosper as a distinct community deeply rooted in the Gullah Geechee culture and allow for future growth as the community embraces new residents and community services. Section 2, *Planning Process*, further explains the community planning process.

#### Community History

Sol Legare has a rich history as a predominantly African-American community, with roots in the Gullah Geechee culture, that grew and prospered following the Civil War well into the twentieth century. As documented in the 2016 Charleston County Historic Resources Survey Update, Sol Legare is considered a "remnant freedmen community" and is distinctive due to the use of long-lot farm parcels that maximize the frontage along both the roadway and waterway (see Figure 1). Houses tend to be placed at the ends of the lots, nearer to the roads, which promote socialization within the community and reduce the distance required between farmsteads. As you drive through the community, the development pattern is very distinct and emphasizes the importance of community social gatherings. Multiple homes exist on single lots and are often close together. As the community has grown, subdivision of lots have broken up the long-lot pattern originally platted; however, the historical development characteristics are still evident.

In addition to the unique development patterns, several historic resources are

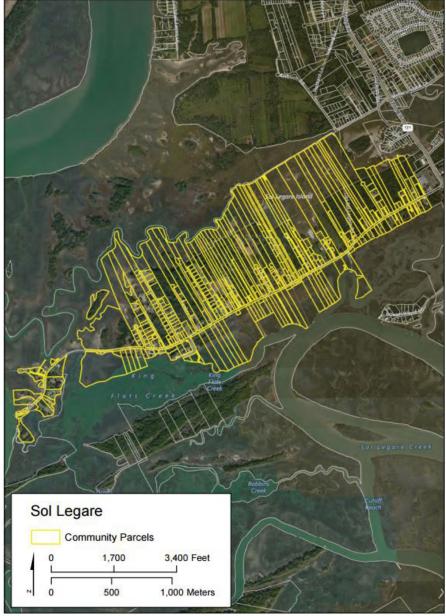


Figure 1: Sol Legare Community

located in Sol Legare. The Seashore Farmer's Lodge No. 767, under the guidance of Edward Wilder and Johnry Walker, is located on the corner of Sol Legare and Old Sol Legare Roads, and was a social and economic hub that provided educational, spiritual, and financial opportunities for Sol Legare families in the early twentieth century. This Lodge Hall was very active and helped other Lodges in the Lowcountry provide a variety of services to their community. The Seashore Farmer's Lodge was listed on the National Register of Historic Places in 2007, and following the listing of the property, the community has worked diligently to restore the lodge, as shown in Figure 2. The Sol Legare Museum is housed within the lodge and curated by Ernest Parks. Each year, the museum presents the history of the 54th Regiment.

Another significant historic community asset is the Mosquito Beach area, located on the southern portion of Sol Legare Road adjacent to Kings Flat Creek. In the early twentieth century, Mosquito Beach was home to an oyster factory; however, the factory closed during the Great Depression. The area quickly transitioned to become a major entertainment and recreational area for African-Americans, as Jim Crow laws prohibited African-Americans from going to "white beaches" and other segregated establishments in the area, and consisted of a beach, hotel, restaurants, and social clubs. The area served as a major tourist destination throughout the mid-twentieth century. In September 1989, Hurricane Hugo damaged many of the buildings, resulting in some never re-opening. The businesses in the area have formed



Figure 2: Seashore Farmer's Lodge No. 767

Figure 3: Mosquito Beach Entertainment District















ation - December 1, 2017

the Mosquito Beach Business Association, which is led by Thelma Gilliard, President. Recent efforts led by William "Cubbie" Wilder have begun the process to nominate Mosquito Beach for the National Register of Historic Places, as it has been deemed eligible. Figure 3 exhibits the existing structures in the Mosquito Beach entertainment district area.

As previously mentioned, Sol Legare was highlighted in the 2016 County Survey Update, and one of the study's recommendations noted that Sol Legare is eligible for designation as a historic district on the National Register of Historic Places under Criterion A for community planning and development and African-American ethnic heritage. The community's deep roots in the Gullah Geechee culture, partnered with the distinct social values related to land ownership, familial ties, and religion, make the community an excellent candidate for historic preservation in Charleston County.

#### Community Assets

Sol Legare is located in close proximity to services and employment opportunities on James Island and nearby downtown Charleston and West Ashley. Recreational opportunities are available, as the community is not far from Folly Beach and municipal parks on James Island. The water resources in the area, including a public boat landing at the end of Sol Legare Road (see Figure 4), allow for recreational opportunities and employment opportunities for water-dependent uses (such as fishing, oyster harvesting, eco-tourism, etc.). Over the years, water-dependent uses have thrived in Sol Legare. Most noteworthy is Backman's Seafood, which sells fresh seafood and provides an opportunity for local fishermen to wholesale their catches (see Figure 5). Backman's also once had a restaurant. Several other small commercial businesses have existed in the past along Sol Legare Road and on Mosquito Beach.

Public services available to the Sol Legare community include public water from Charleston Water System and public sewer and fire service from James Island Public Service District. Charleston County Sheriff's Office and Emergency Medical Services provide emergency services.

One of the most significant community assets is the local community organization, Concerned Citizens of Sol Legare, which meets in the Sol Legare Community Center (formerly an elementary school and pictured in Figure 6) each month. The Concerned Citizens group engages community members and organizes several community projects, including being members of the Adopt-A-Highway and Adopt-a-Boat Landing clean-up programs, educational opportunities for community members, programs for the community youth, a playground for the community, etc.



Figure 4: Sol Legare Boat Landing



Figure 5: Backman's Seafood



Figure 6: Sol Legare Community Center

## **Planning Process**

In Summer 2013, the Charleston County Zoning and Planning Department began working with County Council Member Anna Johnson and Planning Commission Member Sussan Chavis to address growing concerns voiced by residents of Sol Legare regarding land use and subdivision issues, community services, heirs' property, and transportation/public works. Planning staff worked with Ms. Chavis to create a community needs survey to understand the issues, needs, and desires of residents. In June 2013, staff attended a meeting of the Concerned Citizens of Sol Legare and distributed the survey. Over the next several months, Ms. Chavis worked hard distributing and collecting completed survey forms. By March 2014, approximately 70 surveys had been completed. Planning staff analyzed the survey results and created a summary of the feedback, which is included as *Appendix A* of this Plan.

The survey results were not only critical for the creation of this Plan, but they were also used in a concurrent planning effort, the Charleston County Comprehensive Plan Five-Year Review. This effort began in 2013 as well and culminated in January 2015 when County Council adopted the Five-Year Review. As part of this process, a new Future Land Use category, Urban/Suburban Cultural Community Protection (USCCP) was created and assigned to the Sol Legare community (and other settlement areas in the Urban/Suburban Area of Charleston County). This new Future Land Use category allows the Planning staff to work with individual communities to create community plans and customized zoning regulations to meet the needs of the community.

Once the Five-Year Review was adopted, Planning staff continued working with the Sol Legare community. Before starting on the community plan, Planning staff carried out a major addressing project in coordination with the James Island Public Service District Fire Department to ensure Sol Legare residents were using accurate addresses and had their addresses posted visibly. In addition, Planning staff coordinated with the community and the US Postal Service to have the mailbox clusters located along Sol Legare Road that housed mailboxes for homes located along side streets to be placed in front of the respective homes on the side streets. This made it easier for residents to get their mail and ended the confusion these mailbox clusters caused for emergency responders. This project took over a year, involved attending community meetings with residents, and was completed in 2015.





Figure 7: Photos from a Concerned Citizens of Sol Legare meeting

Another project impacting the Sol Legare community was the update to the 1989 and 1992 Charleston County Historical and Architectural Surveys. In November 2015, Charleston County began work on the survey update, which focused on identifying historic resources in the unincorporated areas of Charleston County, with a focus on resources from 1940-1975. The most significant finding that resulted from this project was the documenting of African-American settlement communities, including Sol Legare. As discussed in the *Plan Overview* section, Sol Legare is rich in history and was deemed eligible for the National Register of Historic Places as a historic district.

With these projects completed, Planning staff met with the community again in February 2017 to review the results of the community needs survey, ensuring the results had not changed since the survey was conducted, and prepare for drafting the Community Plan and implementation strategies. During the February 2017 meeting, over 100 residents were in attendance and confirmed that while most of the survey results held true, the community does not want to see commercial uses establish in new areas of the community. Instead, residents said that they would like to see historically commercial properties be re-established and/ or redeveloped (such as Mosquito Beach and some of the vacant commercial properties near Backman's Seafood and along Sol Legare Road).

## Community Issues, Needs, and Desires

The following issues, needs, and desires were identified by the community during the community needs survey and through discussions at community meetings.

#### Land Ownership and Heirs' Property

As properties have been passed down through generations without clear title, heirs' property has resulted. Heirs' property is land owned "in common" by all of the heirs, regardless of whether they live on the land, pay property taxes, or have even seen the land, according to the Center for Heirs' Property Preservation. Without clear title and ownership, land development processes such as subdivisions, are very unlikely to be permissible. An analysis of County records for property ownership indicate that at least 15 percent of properties may be heirs' property; however, the percentage of heirs' property could be as high as 35-40 percent in Sol Legare.

#### **Road and Drainage Issues**

While Sol Legare Road is the primary travelway in the community, several smaller roads connect to Sol Legare Road on the northern side and allow for further development of lots. While Sol Legare Road is paved, not all of the residential roads are paved and some are in poor condition. Seven side roads have been identified and requested to be paved. Jeff Gilliard Lane has been approved and is presently being worked on for paving. Traffic along Sol Legare Road is an issue, especially during the summer when boaters, vacationers, shoppers, and residents meet at the intersection of Folly Road and Sol Legare Road. The Sol Legare Community has already requested that a dedicated right-turn lane from Sol Legare Road to Folly Beach be added, of which the County and City of Folly Beach has requested funding. Furthermore, residents indicated that ditches in the area are not regularly maintained and the water resources surrounding the community result in drainage and flooding issues.

#### Ability to Subdivide Property

Subdivision of the existing lots in Sol Legare is difficult for two primary reasons: heirs' property and ownership issues and long, narrow lots that do not meet current zoning and access requirements. Some discussions have already begun on how to write zoning regulations to accommodate the size of lots; however, input is still needed from the community.

#### **Zoning and Land Use Issues**

The majority of Sol Legare is located in the Special Management (S-3) Zoning District, which limits property owners' ability to subdivide property (due to the long-lot pattern) and lacks flexibility in land uses, as the S-3 district primarily allows only residential uses with very few commercial or accessory uses. Residents have indicated that they would like to see historically commercial properties continue or redevelop. They would also like to have community-oriented uses such as a farmers' market or community garden.

#### **Need for Sidewalks and Street Lighting**

There are no sidewalks in the Sol Legare Community. However, the Sol Legare Community Development Committee is obtaining signatures on a petition and has made a request for sidewalks. Street lights are outdated and do not illuminate well. This creates a safety problem for pedestrians, bikers, and drivers. The installation of sidewalks would separate pedestrians from vehicular traffic, while installing street lighting would make it much safer for citizens at night and early in the morning.

#### **Community Services**

Citizens have requested increased police patrols to help reduce speeding along Sol Legare Road and to manage beach traffic at the intersection of Folly Road and Sol Legare Road. The Community has recently requested a camera to take photos of persons blocking the intersection and speeders. Improvements to the community center and partnerships with outside organizations to provide educational services and programs for residents are also desired.

#### **Property Values**

According to the community needs survey, over 75 percent of Sol Legare residents have lived in the community for more than 25 years. In recent years, property values throughout the Charleston region have been rapidly rising. Several residents of Sol Legare fear that new housing developments in the community will increase property values, leading to increased property taxes. This concern is taken into consideration in efforts to mitigate the impacts of rising property values.

## Community Issues, Needs, and Desires (continued from page 7)

#### **Public Transportation**

Many Sol Legare residents are aging and would like to see CARTA adjust their James Island and Folly Beach routes to travel down Sol Legare Road.

#### **Preservation of Community Character**

As properties develop and redevelop in Sol Legare, the community character could be threatened if homes are built out of scale with the existing housing stock. The Community has already begun to take steps to limit the size of homes to 2,500 square feet in size to manage the increase on property value and taxes. Residents desiring larger homes may do so by applying for a Special Exception from the Board of Zoning Appeals. Commercial redevelopment should be consistent with the historical design of the community.

#### Flood Zone Requirements

Sol Legare is wholly located in a FEMA-designated flood zone; FEMA is currently updating their flood maps and expect to have new maps implemented by the end of 2018 (subject to change). Sol Legare is anticipate to move from being in a VE flood zone to an AE flood zone. The Biggert-Waters Flood Reform Act of 2012 and Homeowner Flood Insurance Affordability Act of 2014 affect flood insurance coverage for Sol Legare residents and incentivize new and existing construction to comply with building codes as a way to reduce flood insurance costs. As much of the existing construction in Sol Legare does not comply with current flood zone construction requirements, this is a grave concern for residents.

### **Community Plan Implementation & Strategies**

Once the Sol Legare Community Plan is adopted by County Council, the next step is to implement the strategies contained in the Plan. The strategies listed below were developed in coordination with residents of Sol Legare to address the issues identified in the Community Needs Survey and at community meetings. The strategies are intended to assist the community in achieving its vision for the future.

The first strategies are to evaluate and update the Community Plan on a consistent basis and work with the community to develop amendments to the *Charleston County Zoning and Land Development Regulations Ordinance* (ZLDR) to address the planning and zoning needs of the community. Once the ZLDR is amended, the remaining strategies should be prioritized and the community should engage the appropriate parties to address those strategies.

#### Implementation Strategies

Listed below are the recommended implementation strategies to address the issues identified by the community and achieve their vision for the area.

- 1. Evaluate and update the Community Plan, as needed, with community input.
- **2. Planning and Zoning Strategies** to allow more flexibility to subdivide property; allow additional land uses, where appropriate; and preserve the community character and existing natural and cultural resources.
  - **Strategy 2.1:** Adopt amendments to the *Charleston County Zoning and Land Development Regulations Ordinance* (ZLDR), including but not limited to an overlay zoning district, as applicable. *Note: Page 10 demonstrates development currently existing in the area that the community would like to emulated. Commercial properties that may be redeveloped are also pictured.*
  - Strategy 2.2: Monitor and evaluate the updated zoning ordinance and amend as needed.
- 3. Public Works and Transportation Strategies to address road and drainage maintenance and improved transportation options.
  - **Strategy 3.1:** Coordinate with Charleston County Public Works, Charleston County Transportation Development, and South Carolina Department of Transportation (SCDOT) to ensure roads and ditches are properly maintained and repaired, as necessary.
  - **Strategy 3.2:** Coordinate with SCDOT and other applicable agencies to install sidewalks along Sol Legare Road, and pursue funding opportunities for the sidewalks through the Charleston County Transportation Sales Tax revenue and Charleston County Transportation Committee (CTC).
  - **Strategy 3.3:** Work with Charleston County Public Works and SCDOT to explore speed calming measures along Sol Legare Road, specifically near the boat landing, to minimize traffic hazards.
  - Strategy 3.4: Coordinate with Charleston County Public Works to request intersection improvements, including a dedicated right-turn lane from Sol Legare Road to Folly Beach and a dedicated left-turn lane from Sol Legare Road into the proposed new townhome development at the southwest corner of the Sol Legare/Folly Road intersection. These improvements would prevent stacking on Sol Legare Road.
  - *Strategy 3.5:* Work with CARTA to consider expanding routes to better serve the Sol Legare community.

- **4. Public Service Strategies** to improve safety services and install street lighting.
  - **Strategy 4.1:** Coordinate with the Charleston County Sheriff's Office to increase patrols in the community to decrease traffic and speeding violations and other illegal activities.
  - *Strategy 4.2:* Explore grant funding (such as complete streets programs, transportation alternatives program, etc.) for street beautification such as installation of street lights along Sol Legare Road.
  - Strategy 4.3: Work with the Charleston County Sheriff's Office to establish a Neighborhood Crime Watch program.
- **5. Community Specific Strategies** addressing housing affordability; heirs' property preservation; historic preservation; enhanced community programming; and community beautification efforts.
  - Strategy 5.1: Continue to build on the success of the Concerned Citizens of Sol Legare as advocates for community programs and services.
  - **Strategy 5.2:** Coordinate with Sea Island Habitat for Humanity, SC Community Loan Fund, and similar organizations to address housing affordability and rehabilitation of existing housing.
  - **Strategy 5.3:** Coordinate with roadway beautification organizations such as Palmetto Pride/Adopt-a-Highway to keep Sol Legare Road litter-free and scenic.
  - *Strategy 5.4:* Explore parternships with local non-profits such as Lowcountry Local First, Charleston County School District, Charleston Area Senior citizens (CASC), and Lowcountry Senior Center to expand services for residents, particularly senior citizens and area youth.
  - Strategy 5.5: Work with Lowcountry Local First to establish a farmer's market in the Sol Legare community.
  - Strategy 5.6: Continue building a relationship with The Center for Heirs' Property Preservation to educate area residents on the issue.
  - Strategy 5.7: Partner with local historic preservation organizations such as the Historic Charleston Foundation, National Trust for Historic Preservation, and Gullah Geechee Cultural Heritage Corridor to nominate Sol Legare for the National Register of Historic Places (NRHP) as a historic district. Listing the community on the NRHP affords opportunities for historic preservation tax incentives, grant opportunities, and consideration in planning for Federally licensed, and Federally assisted project.
  - **Strategy 5.8:** Explore opportunities to erect signage in the community to create a sense of place for residents and visitors. Signage could be in the form of historical markers through the State Historic Preservation Office or community signs that mimic the traditional colors and styles of the Gullah Geechee culture and be placed at key interest points throughout the community (entrance of community, Mosquito Beach, and boat landing).

The pictures below are examples of residential development currently existing in the area that the community would like to see emulated (in scale and placement).





Traditionally, homes in the community were more modest, often less than 2,000 square feet in size, clustered on family lands, and constructed of concrete block in the vernacular style of architecture (as pictured above and to the left). With the enactment of FEMA flood zone requirements, newer construction is larger and taller, built to withstand major flooding events (as pictured in the bottom right photo).





Pictured in the above left photo is Mr. Hezekiah Ladson's home, which is one of the oldest homes in Sol Legare. It was rolled on logs from the Bee Field Community in the Battery Island Drive area. Several additions have been made to the home over the years.

The pictures below are current and former commercial properties that the community would like to see continue or redeveloped to provide local services that have historically existed in Sol Legare.

















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## **Appendix A: Community Needs Survey Results**

Between June 2013 and March 2014, community members completed a community needs survey. Seventy surveys were received and the results have been summarized here.

Sol Legare Community Su	rvey Results	April 14, 2014
otal number of surveys analyzed: 70		
Note: Respondents often selected more than one answer, r	eculting in over	100% of responses
Note. Respondents often selected more than one answer, i	esuiting in over	100% of responses.
ection 1: Understanding the Community: Asse	ets. Issues. a	nd Aspirations
Question 1: How long have you lived in this community?*		Number of responses
0+ years	41%	24
1-49 years	22%	13
.6-30 years	15%	9
i-15 years	12%	7
0-5 years	10%	6
Average length of time based on responses		38.5 years
59 citizens responded to this question.		
Question 2: What do you think is most important about yo	ur community?	* Number of response
idewalks and street lighting	77%	
Roads and drainage	66%	47
listory and culture	61%	43
and development	51%	36
Community character	51%	
conomic development	44%	31
Other response		· · · · · · · · · · · · · · · · · · ·
Bridges to the islands (Dixie, Taylor) for residence occupanc		
Home and landscape improvement	,	
Preservation of the community		
Bus service		
raffic to boat landing		
70 citizens responded to this question.		
Question 3: What issues are you most concerned about repondantly?*	garding your	Number of response
and ownership and heirs' property	78%	52
Road and drainage issues	57%	
Ability to subdivide property	51%	
ocal employment opportunities	39%	
Access to retail services such as food markets, gas stations,	24%	
and restaurants		
Access to medical services	21%	14
ack of water and sewer service	21%	14

Sol Legare Community Survey	Results April	14, 2014		
Litter				
Property values				
Sidewalks and traffic				
Taking care of the drug problem and people selling in the comm	unity			
*67 citizens responded to this question.	iuiiity			
or citizens responded to this question.				
Question 4: What would you like to see occur in your commun future?*	ity in the	Number of responses		
Farmers' Market	48%	29		
Public services such as parks, libraries, etc.	46%	28		
Agriculture/forestry	31%	19		
Daycare facilities	31%	19		
Medical facilities	26%	16		
No change; community remains as is	15%	9		
Gas stations, banks, etc.	12%	7		
General stores	10%	6		
Other responses:	•			
Road improvements for areas that still have dirt roads; speed lir	nit enforced for I	boat traffic along Sol		
Legare, especially since there are no sidewalks		· ·		
Improvement of the center building; build sidewalks for walkers	and bicycles			
Enhanced livability	•			
Another access road connecting to Folly Road				
Economic development				
Retirement				
Afterschool programs to help children, increase technology				
Bush and weed clean up				
Neighborhood watch, adopt a highway, and neighbors helping r	neighbors			
Sidewalks				
*61 citizens responded to this question.				
Question 5: Would you like to see more employment opportui	nities in your	Number of responses		
community?*				
Yes	95%	60		
No	5%	3		
*63 citizens responded to this question.				
Question 6: If yes [to question 5], what types of employment of would you prefer?*	pportunities	Number of responses		
Hospitality and tourism	53%	33		
Trades	53%	33		
Technology	52%	32		
Professional services	42%	26		
Agriculture and forestry	34%	21		
Light manufacturing	26%	16		
Retail	23%	14		
	23/0	17		

Other responses:

Clearing drug activity

CARTA closer to neighborhood

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Sol Legare Community Survey Resu	ults April 14, 2014
Permits for garage sales at the center	
Other ways to make neighborhood attractive	
Retirement home	
Educational training along with updated technology training	
Control traffic flow	
Keep community for family dwellings, not for businesses	
More opportunities for young people	
Community recreation projects	
Keep Sol Legare a residential area, not a commercial or industrial env	rironment
*62 citizens responded to this question.	

#### **Section 2: Public Transportation**

Question 7a: Do you use the public bus service?*		Number of responses
No 84%		59
Yes	16%	11

<sup>\*70</sup> citizens responded to this question.

Question 7b: If you answered no [to question 7a], why not?*		Number of responses
Own a car	72%	31
No access; bus stop too far from home	23%	10
I do not drive	2%	1
My mom takes me everywhere	2%	1

<sup>\*43</sup> citizens responded to this question.

Question 8: Is there a need for the public bus service on Sol Le	Number of responses	
Yes 87%		59
No	13%	9

<sup>\*68</sup> citizens responded to this question.

Question 9a: Is there anyone in your household or family that	Number of responses	
No 72%		48
Yes	28%	19

<sup>\*67</sup> citizens responded to this question.

Question 9b: If yes [to question 9a], please note how many times per week and the purpose.		Number of responses
Frequency*		
2-5 times per week	71%	10
1-2 times per month	21%	3
Daily 7%		1
Purpose**		
Work	80%	4
Personal	4	

<sup>\*14</sup> citizens indicated the frequency of their bus service use.

<sup>\*\*5</sup> citizens indicated the purpose of their bus service use. Three respondents used bus service for both work and personal use.

3	Р	а	g	е

Sol Legare Community Survey Results April 14, 2014				
Question 10: Please list any suggestions you have for the publi	ic bus service.*	Number of responses		
Install a bus stop on the corner of Sol Legare and Folly Road	43%	13		
Have bus route down Sol Legare Rd	23%	7		
Need transportation for those who don't have a car, tourism, and work	7%	2		
Hourly service that travels along Folly Road and to Folly Beach	3%	1		
Access should extend beyond the City of Charleston	3%	1		
More regular service; Longpoint route to Piggly Wiggly; Folly Beach shuttle bus	3%	1		
Bus service to Folly Beach	3%	1		
Regular schedule that is affordable	3%	1		
Only means of transportation	3%	1		
It would be good for the elderly that do not drive	3%	1		
Provide transportation from Folly Beach to downtown Charleston	3%	1		
*30 citizens responded to this question.				

#### **Section 3: Community Center Activities**

Question 11. What types of activities of events would you like	Number of responses			
community center?*		riamber of responses		
Jobs and business training	84%	58		
Educational assistance	80%	55		
Health and food	68%	47		
Sports and fitness	64%	44		
Arts and crafts	38%	26		
Clubs and games	29%	20		
Other responses:				
Internet café				
History				
Culinary health				
Senior center within our community				
Expanding programs for more outside activities and senior programs				
After school activities				
Family fun day/cookout				
*69 citizens responded to this question.				

Question 11: What types of activities or events would you like to see at the

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Sol Legare Community Survey Results April 14, 2014

#### **Section 4: Community Priorities**

Question 12: Please list what you believe are or should be the or needs of your community.*	Number of responses		
Road and ditch maintenance (including paving, connectivity, and drainage issues)	52%	33	
Sidewalks	49%	31	
Street lighting	44%	28	
Increased public safety	33%	21	
Economic development (employment opportunities and job training)	32%	20	
Community center improvements (including activities)	24%	15	
Educational needs and assistance	21%	13	
Land ownership issues and heirs' property	17%	11	
Drug-free environment	16%	10	
Public transportation	14%	9	
Youth programs and activities, including day care	13%	8	
Preservation and restoration of history, culture, and character	13%	8	
Flood insurance and flood zones	11%	7	
Traffic	11%	7	
Property maintenance (yards, home improvements, and litter)	10%	6	
Land development issues (rezoning, ability to subdivide)	10%	6	
Improved community facilities (public water/sewer and parks)	8%	5	
Littering issues	6%	4	
Neighborhood Businesses	5%	3	
Elderly	5%	3	
Property taxes	3%	2	
Health care	3%	2	
Church/spiritual support	3%	2	
Lunch program	3%	2	
Information	2%	1	
Tourism	2%	1	
*63 citizens responded to this question.	•	-	

<sup>\*63</sup> citizens responded to this question.

#### Question 13: Additional comments or questions.\*

Securing the character of an open community with no more gated communities within the community Security cameras

Heirs' property assistance

Literacy for adults or kids

In summertime, make sure we can enter Folly Road at the traffic light of Sol Legare. Police need to be

Make area drug-free environment and a clean community

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<sup>\*6</sup> citizens responded to this question.

#### ARTICLE 5.15 SOL LEGARE COMMUNITY OVERLAY ZONING DISTRICT (SL-O)

#### §5.15.1 STATEMENT OF FINDINGS

The SL-O, Sol Legare Community Overlay Zoning District, is located on the southern end of James Island in the Urban/Suburban Area of the County, just north of Folly Beach. The community is wholly located in unincorporated Charleston County and is bordered by Kings Flat Creek on the south; the Stone River on the west; and Holland Island Creek on the north. The sole access into the community is from Folly Road. The community was established during the Reconstruction Era and prospered in the twentieth century, becoming known as a prominent African-American community with roots in the Gullah Geechee culture. The land use development is unique in Sol Legare, due to the use of long-lot farm parcels which maximize the frontage along both the roadway and adjacent waterways. The historic value of the community and associated development patterns was documented in the 2016 Charleston County Historic Resources Survey Update, and this overlay intends to preserve and enhance the historical development patterns.

Beginning in 2013, planning staff worked with community members to identify planning and zoning issues. This input helped form the Urban/Suburban Cultural Community Protection future land use designation, which is implemented by this overlay zoning district. Furthermore, the feedback gathered from community members at a series of public meetings from 2013 - 2017 led to the creation of the Sol Legare Community Plan, which is adopted concurrently with this overlay zoning district and supports the provisions of this Article, as Strategy 2.1 of the Plan states, "Adopt amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), including but not limited to an overlay zoning district, as applicable." The Plan further explains the community planning process and needs assessment, and includes additional strategies to achieve the community's vision for the future. The Plan also describes the planning and zoning issues addressed by this overlay in greater detail, including the inability to subdivide properties due to inflexible subdivision standards, the lack of flexibility in land uses traditionally seen in the community (such as commercial uses in the historic Mosquito Beach area, communityoriented uses such as farmers' markets or community gardens, and home occupations), and the threat to community character as new development is often times inconsistent with the scale and design of existing structures.

#### §5.15.2 PURPOSE AND INTENT

The purpose and intent of the SL-O is to implement the Charleston County *Comprehensive Plan* by creating an overall vision for the future of the Sol Legare Community that protects and promotes the culture and unique development patterns of the existing historic community; preserves low density residential development and traditional commercial uses; and sustains the area's strong sense of community by supporting community-oriented land uses. This vision is a reflection of the needs expressed by the residents of the Sol Legare Community, and the SL-O strives to preserve the existing character of the area while allowing additional flexibility to subdivide and develop property. The SL-O also provides for the re-establishment of commercial uses in locations traditionally known as commercial hubs in the community, while also expanding opportunities for home occupations.

#### §5.15.3 EFFECT OF THE OVERLAY ZONING DISTRICT

The Sol Legare Community Overlay Zoning District regulations of this Article apply in addition to the underlying (base) zoning district and all other applicable regulations of this Ordinance and impose different development rules for properties within the Overlay Zoning District. In case of conflict between the regulations of this Article and other regulations in this Ordinance, the regulations of this Article shall control except as otherwise noted.

#### §5.15.4 APPLICABILITY

The standards of this Article shall apply to all development within the SL-O as described in this Article and as shown on the map titled "Sol Legare Community Overlay Zoning District."

#### §5.15.5 USE REGULATIONS

#### A. Table 5.15-1, Sol Legare Community Overlay Zoning District Use Table

Table 6.1-1, Use Table, does not apply to properties in the SL-O. Table 5.15-1 lists the uses allowed in the areas as identified and described in this Overlay Zoning District. The following is a description of the codes used in the table:

- 1. "A" indicates uses allowed by right.
- 2. "C" indicates uses subject to conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
- 3. "S" indicates uses allowed only if reviewed and approved in accordance with the Special Exception procedures of this Ordinance, subject to compliance with use-specific conditions. A cross-reference to the applicable conditions can be found in the column entitled "Conditions."
- 4. Blank cells indicate uses that are not permitted.

#### **B. Prohibited Uses**

The following uses are prohibited on all parcels in the SL-O include: Transitional Housing; Convention Center or Visitors Bureau; Consumer Goods Rental Centers; Auto Dealers, New and Used; Tattoo Facilities; Shooting Ranges; Gun Shops; Stable, Commercial; and Billboards.

#### C. New or Unlisted Uses and Use Interpretation

The 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 of this Ordinance or may require that the use be processed in accordance with the Planned Development (PD) procedures of this Ordinance.

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
AGRICULTURAL USES			
ANIMAL PRODUCTION			
Animal Aquaculture, including Finfish Farming, Fish Hatcheries, or Shrimp or Shellfish Farming (in ponds)		С	§ 6.4.1
Apiculture (Bee Keeping)		Α	
Horse or Other Animal Production	С	С	§ 6.4.1
CROP PRODUCTION			
Greenhouse Production or Food Crops Grown Under Cover	A	Α	
Horticultural Production or Commercial Nursery Operations	A	Α	
Hydroponics	A	А	
Crop Production	A	Α	
Wineries		С	§ 6.4.60
FORESTRY AND LOGGING			
Bona Fide Forestry Operations	С	С	§ 6.4.23
STABLE			
Stable, Private	S	С	§ 6.4.20
SUPPORT ACTIVITIES FOR AGRICULTURE USES	-		-
Roadside Stands, including the sale of Sweetgrass Baskets	С	С	§ 6.4.58
Community Garden	A	Α	
RESIDENTIAL			
Congregate Living for the elderly (up to 15 residents)	S	S	
Duplex	С	С	§ 5.15.5.D.4
Dwelling Group	С	С	§ 5.15.5.D.5
Child Caring Institution (more than 20 children)	S	S	
Group Care Home, Residential (up to 20 children)	S	S	
Manufactured Housing Unit	S	S	§ 5.15.5.D.6
Manufactured Housing Unit, Replacement	S	S	§ 5.15.5.D.6
Retirement Housing	S	S	
Retirement Housing, Limited (up to 10 residents)	S	S	§ 6.4.8
Single Family Detached	A	Α	
Affordable Dwelling Units	С	С	§ 6.4.19
Single family Detached/Manufactured Housing Unit (Joint) or Two Manufactured Housing Units (Joint)	С	С	§ 6.4.24
Short-Term Rental: Vacation Home Rental (VHR)	S	S	Art. 6.8
Mixed Use/Occupancy		А	
CIVIC / INSTITUTIONAL			

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
COURTS AND PUBLIC SAFETY			
Court of Law	A	A	
Safety Services, including Emergency Medical or Ambulance Service, Fire Protection, or Police Protection	Α	Α	
DAY CARE SERVICES			
Adult Day Care Facilities	S	Α	§ 6.4.29
Child Day Care Facilities, including Group Day Care Home or Child Care Center	S	Α	§ 6.4.29
Family Day Care Home	А	Α	
DEATH CARE SERVICES			
Cemeteries or Crematories	С	С	§ 6.4.53
Funeral Services, including Funeral Homes or Mortuaries		Α	
EDUCATIONAL SERVICES			
Pre-school or Educational Nursery	S		§ 6.4.29
School, Primary	S	S	
School, Secondary	S	S	
College or University Facility	S	S	
Business or Trade School		S	
Personal Improvement Education, including Fine Arts Schools or Automobile Driving Schools		S	
HEALTH CARE SERVICES			
Medical Office or Outpatient Clinic, including Psychiatrist Offices, Abortion Clinics, Chiropractic Facilities, or Ambulatory Surgical Facilities	S	S	
Convalescent Services, including Nursing Homes	S	S	
Counseling Services, including Job Training or Placement Services		Α	
Public or Community Health Care Centers		S	
Home Health Agencies		S	
<b>Hospitals,</b> including General Hospitals, Specialized Hospitals, Chronic Hospitals, Psychiatric or Substance Abuse Hospitals, or Hospices		S	
Rehabilitation Facilities		S	
Residential Treatment Facility for Children or Adolescents (mental health treatment)		S	
MUSEUMS, HISTORICAL SITES AND SIMILAR INSTITUTIONS	•	•	•
Historical Sites (Open to the Public)	С	Α	§ 6.4.27
Libraries or Archives	A	Α	
Museums	A	Α	
Nature Exhibition		Α	§ 6.4.10

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
Postal Service, United States	С	Α	§ 6.4.28
RECREATION AND ENTERTAINMENT			
Community Recreation, including Recreation Centers	A	Α	
Fishing or Hunting Guide Service (Commercial)		Α	
Fishing or Hunting Lodge (Commercial)		Α	
Parks and Recreation	С	С	§ 6.4.11
Special Events		С	§ 5.15.7.E
Eco-Tourism	S	Α	
RELIGIOUS, CIVIC, PROFESSIONAL AND SIMILAR ORGANIZATIONS			
Business, Professional, Labor, or Political Organizations		Α	
Social or Civic Organizations, including Youth Organizations, Sororities, or Fraternities	S	Α	
Religious Assembly	С	С	§ 6.4.13
Social Club or Lodge	S	Α	
UTILITIES AND WASTE-RELATED USES			
Utility Service, Major	S	S	§6.4.21 §6.4.17
Electric or Gas Power Generation Facilities	S	S	§6.4.21 §6.4.17
Utility Substation	S	S	§ 6.4.21
Electrical or Telephone Switching Facility	S	S	§ 6.4.21
Sewage Collector or Trunk Lines	S	S	§ 6.4.21
Utility Pumping Station	S	S	§ 6.4.21
Water Mains	S	S	§ 6.4.21
Water Storage Tank	S	S	§ 6.4.21
Utility Service, Minor	A	Α	
Electric or Gas Power Distribution	A	Α	
Sewage Collection Service Line	A	Α	
Water Service Line	A	Α	
COMMERCIAL			
ACCOMMODATIONS			
Short-Term Rental: Commercial Home Rental (CHR)		С	Art. 6.8
Hotels or Motels		S	
RV (Recreational Vehicle) Parks or Campgrounds		S	§ 6.4.12
ANIMAL SERVICES			
Kennel		S	§ 6.4.54
Small Animal Boarding (enclosed building)		С	§ 6.4.32

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
Veterinary Services		С	§ 6.4.32
FOOD SERVICES AND DRINKING PLACES			
Bar or Lounge (Alcoholic Beverages)		S	
Catering Service		С	§ 6.4.34
Restaurant, Fast Food, including Snack or Nonalcoholic Beverage Bars		С	§ 6.4.15 § 5.15.5.D.8
Restaurant, General, including Cafeterias, Diners, Delicatessens, or Full-Service Restaurants		С	§ 6.4.15
INFORMATION INDUSTRIES			
Communications Towers		S	§ 6.4.5
PROFESSIONAL SERVICES AND OFFICES			
Administrative or Business Office, including Bookkeeping Services, Couriers, Insurance Offices, Personnel Offices, Real Estate Services, Secretarial Services or Travel Arrangement Services		А	
Government Office		Α	
Professional Office, including Accounting, Tax Preparation, Architectural, Engineering, or Legal Services		Α	
Office/Warehouse Complex		S	
Special Trade Contractors (Offices/Storage)		S	§ 5.15.5.D.1
OTHER NONRESIDENTIAL DEVELOPMENT			
Parking Lot		S	§ 5.15.5.D.7
Charter Boat or other Recreational Watercraft Rental Services		С	Art. 5.3
Water-Dependent Commercial, including seafood-related Retail Sales; Restaurant, General; Charter Boat or other Recreational Watercraft Rental Services; Boat Ramps; Commercial Docks; and other accessory produce/roadside stands		Α	
REPAIR AND MAINTENANCE SERVICES			
Repair Service, Consumer, including Appliance, Shoe, Watch, Furniture, Jewelry, or Musical Instrument Repair Shops		S	
RETAIL SALES			
Food Sales, including Grocery Stores, Meat Markets or Butchers, Retail Bakeries, or Candy Shops		Α	
Retail Sales or Services, General		Α	
Art, Hobby, Musical Instrument, Toy, Sporting Goods, or Related Products Store		Α	
Clothing, Piece Goods, Shoes, Jewelry, Luggage, Leather Goods or Related Products Store		A	
Convenience Stores		Α	
Florist		А	
Furniture, Cabinet, Home Furnishings, or Related Products Store		А	
Tobacconist		А	
Sweetgrass Basket Stands	С	С	§ 6.4.58

TABLE 5.15-1: Sol Legare Community Overlay Use Table	RESIDENTIAL AREA	COMMERCIAL AREA	CONDITION
RETAIL OR PERSONAL SERVICES			
Consumer Convenience Service		Α	
Locksmith		Α	
Tailors or Seamstresses		Α	
Hair, Nail, or Skin Care Services, including Barber Shops or Beauty Salons	С	Α	§ 6.4.3
Personal Improvement Service, including Dance Studios, Health or Physical Fitness Studios, Photography Studios, or Reducing Studios		А	
Farmers Market, not including flea markets		Α	
Artisans and Craftsman	С	С	§ 5.15.5.D.2
EHICLE AND WATERCRAFT STORAGE			
Boat Ramps	С	С	Art. 5.3, § 5.3.4
Community Dock	S	S	Art. 5.3, § 5.3.3
Commercial Dock	S	S	Art. 5.3, § 5.3.6
IANUFACTURING AND PRODUCTION			
Clay or Related Products Manufacturing		С	§ 5.15.5.D.3
Computers or Electronic Products Manufacturing		С	§ 5.15.5.D.3
Electrical Equipment, Appliances or Components Manufacturing		С	§ 5.15.5.D.3
Furniture, Cabinets, or Related Products Manufacturing		С	§ 5.15.5.D.3
Glass or Related Products Manufacturing		С	§ 5.15.5.D.3
Toy or Artwork Manufacturing		С	§ 5.15.5.D.3
Wood Products Manufacturing		С	§ 5.15.5.D.3
Other Miscellaneous Manufacturing and Production		С	§ 5.15.5.D.3
THER USES			
ECYCLING SERVICES			
Recycling Collection, Drop-Off	С	С	§6.4.55
ESOURCE EXTRACTION/MINING			
Resource Extraction/Mining, including Borrow Pits, Mining, Oil or Gas Extraction, Quarries, or Sand or Gravel Operations	S	S	§ 6.4.14
RANSPORTATION		•	•
Sightseeing Transportation, Land or Water		S	Art. 5.3
Water Transportation, including Coastal or Inland Water Passenger Transportation		S	Art. 5.3

#### D. Use Conditions

#### 1. Special Trade Contractors (Offices/Storage)

- a. This use excludes any tractor trailer containers in outside storage areas;
- b. This use shall have a maximum floor area of 5,000 square feet including the building(s);
- c. Outdoor storage of vehicles, materials, and equipment shall be prohibited; and
- d. The hours of operation shall be limited from 7 am to 7 pm.

#### 2. Artisan and Craftsman uses are permitted, provided that:

- a. Such uses shall not cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, fire hazards, radiation, or other conditions harmful or objectionable to adjacent or nearby properties.
- b. All truck parking or loading facilities are located to the side or rear of the building, outside required landscaped yards, and screened from public rights-of-way and/or adjacent property zoned or used for residential purposes.
- c. Outdoor storage of materials is prohibited.
- d. Operation of this use does not create noise in excess of 80 dB, as measured at the property boundary of the noise source using the fast meter response of a sound level meter, reduced to 70 dB maximum between the hours of 7 p.m. and 7 a.m.
- e. Artisan and Craftsman uses shall comply with the requirements listed above and shall be limited to a maximum floor area of 2,000 square feet and five (5) non-resident employees.
- f. All Artisan and Craftsman uses shall comply with the Site Plan Review requirements of this Ordinance.
- g. In Residential Areas, all of the requirements of this Section shall apply in addition to the following:
  - 1. All activities related to the Artisan and Craftsman use shall be confined to a structure that is entirely enclosed, and
  - 2. On-site retail sales are limited to articles of artistic quality or effect or handmade workmanship produced on the premises.

#### 3. Manufacturing and Production

- a. In zoning districts subject to conditions (C), a structure or structures used for specialized manufacturing shall have a maximum floor area of 2,000 square feet and shall have no more than five (5) employees.
- b. All activities related to the manufacturing and production use shall be confined to a structure that is entirely enclosed.
- c. On-site retail sales are prohibited.
- d. All manufacturing and production uses shall comply with the Site Plan Review requirements of this Ordinance.

#### 4. Duplexes

a. The zoning lot must have twice the minimum lot size required; however, this requirement does



Figure 1 Example of Duplex maintaining residential character



Figure 2 Example of duplex that does not comply with architectural standards

- not apply to lots of record that existed prior to [date of adoption of SL-O].
- b. Duplexes must be designed to architecturally blend with the existing single-family dwelling units (see Figures 1 and 2).
- c. Duplexes may not exceed a total square footage (for both units) of 2,500 Square Feet.

#### 5. Dwelling Groups

Where two (2) or more principal single family residential structures are located on the same zoning lot, the following criteria shall apply:

#### a. Density/Intensity and Dimensional Standards

Density/intensity and dimensional standards in Table 5.15-2 shall apply. In each case, the distance between structures shall not be less than the sum of the minimum interior setbacks required. The distance shall be measured from the closest protrusion of each structure. Where no building footprint is indicated, a maximum of a 100-foot by 100-foot area shall be shown for each dwelling to indicate the area where each dwelling is to be constructed.

#### b. Face of Dwelling Units

To maintain the traditional situating of residential structures on single parcels, dwelling units may be placed in rows, with the front of a dwelling facing the rear of an adjacent dwelling. Alternatively, dwelling units may face (front) either a street, courtyard, or living space.

#### c. Vehicle Access

Each dwelling group shall provide an access consistent with the Road Construction Standards in Appendix A of this Ordinance.

#### d. Other Zoning Requirements

Unless specifically modified by this Section, Dwelling Groups shall comply with all other requirements of this Ordinance, including Section 6.4.7, Dwelling Groups, for the S-3 Zoning District.

#### 6. Manufactured Housing Units

Manufactured housing units shall be skirted by: manufactured skirting, or other materials suitable for exterior use, including corrosion-resistant metal, fiberglass/plastic, wood/wood siding (both must be protected from the elements by water resistant solution/substance), decay resistant wood/pressure treated lumber and masonry concrete. The enclosed crawl space under the manufactured housing unit must be ventilated. Skirting placed on manufactured housing units in any Federal Emergency Management Agency (FEMA) Flood Hazard Boundary Area must comply with any applicable FEMA requirements.

#### 7. Parking Lots

- a. Parking garages are prohibited.
- b. A Parking Lot may only be the principal use on a property if it serves as parking for a business located within 1,000 feet of the property containing the Parking Lot.

#### 8. Fast Food Restaurants

Drive-thru windows are prohibited.

#### E. Accessory Uses and Structures

Accessory Uses and Structures shall be permitted in accordance with Section 6.5, unless otherwise stated below.

#### 1. Accessory Dwelling Units

One accessory dwelling unit may be established on an existing zoning lot if the following standards are met:

- a. Proof of wastewater disposal is provided (by SCDHEC or public service provider) for the accessory dwelling unit and the lot does not abut or contain an OCRM Critical Line. The requirements of Section 4.22.2, Minimum Lot Standards for Accessory Dwelling Units on Parcels Which Contain or Abut an OCRM Critical Line, shall apply to Accessory Dwelling units on lots that abut or contain an OCRM Critical Line.
- b. Accessory Dwelling Units shall have a maximum of 800 square feet of heated gross floor area. The size may be increased to 1,500, if a Special Exception is granted by the Board of Zoning Appeals, in accordance with the procedures of this Ordinance.
- c. Accessory Dwelling Unit placement shall comply with all dimensional standards of this Article.
- d. Separate electrical meters are allowed for attached accessory dwellings.

#### 2. Home Occupations

All requirements of Section 6.5.11, Home Occupations, of this Ordinance shall apply with the exception of the following:

#### a. Vehicle/Equipment Repair and Special Trade Contractors

Vehicle/Equipment Repair and Special Trade Contractors are allowed if they take place in an enclosed structure, pose no noise or safety concerns, and comply with all applicable regulations of this Ordinance. This excludes vehicle rental, leasing, and sales, which are prohibited as home occupations in this Overlay Zoning District.

#### b. Employees

The requirements of Section 6.5.11 of this Ordinance apply, provided, however, that up to five (5) nonresident employees may work at the home occupation if approved through Site Plan Review and Special Exception procedures contained in this Ordinance.

#### §5.15.6 RESIDENTIAL AREA

The Residential Area as shown on the map titled "Sol Legare Community Overlay Zoning District" is intended to protect and promote the culture and unique development patterns of the existing low density residential community. The following requirements apply to parcels in the Residential Area in addition to the applicable requirements of this Ordinance. For matters not addressed in this overlay zoning district, the requirements of the Special Management 3 (S-3) Zoning District shall apply.

#### A. Density, Intensity and Dimensional Standards

The Density/Intensity and Dimensional Standards listed in Table 5.15-2 shall apply to all properties in the Residential Area:

# TABLE 5.15-2: RESIDENTIAL AREA DENSITY/INTENSITY AND DIMENSIONAL STANDARDS (1)

	S-3 Development Option	SL-O Development Option <sup>(1)</sup>
MAXIMUM DENSITY	3 dwelling units per acre	3 dwelling units per acre
MINIMUM LOT AREA	14,500 SF; 12,500 SF if public water and/or sewer is available	10,000 SF
MINIMUM LOT WIDTH	80 feet; 70 feet with public water and/or sewer is available	50 feet <sup>(1)</sup>
MINIMUM LOT WIDTH:DEPTH RATIO	None <sup>(2)</sup>	None <sup>(2)</sup>
MINIMUM SETBACKS		
Front/Street Side	25 feet	10 feet <sup>(3)</sup>
Interior Side	15 feet	5 feet
Rear	25 feet	5 feet
OCRM Critical Line	30 feet	30 feet
MAXIMUM BUILDING COVER	30% of lot	30% of lot
MAXIMUM BUILDING HEIGHT	35 feet	35 feet
MAXIMUM BUILDING SIZE	None	2,500 SF

- (1) For lots that contain or abut an OCRM Critical Line, the Waterfront Development Standards of Article 4.22, as they apply to the S-3 Zoning District, shall apply, provided, however, that the Planning Director may allow a reduction in the minimum lot width and/or minimum lot width average required by Article 4.22 for the S-3 Zoning District when the following criteria are met:
  - a. The plat of the property was approved and recorded on or before [date of the adoption of the SL-O];
  - b. The SL-O development option is being utilized;
  - c. The width of the property shown on the approved, recorded plat (recorded on or before [date of adoption of the SL-O]) is less than 100 feet; and
  - d. No more than one waterfront lot is proposed to be created.
- (2) The lot width: depth ratio of this Ordinance shall not apply.
- (3) The setback from a public right-of-way, private right-of-way, and/or private ingress/egress easement is 10 feet as measured from the property line. All accesses must comply with the requirements of the International Fire Code. On corner and double-frontage lots, the front setback standards shall apply to each lot line that borders a public right-of-way, private right-of-way, or private ingress/egress easement; the remaining lot lines shall be subject to the side setback standards and there is no rear lot line/setback.
  - B. One-time subdivision of nonconforming lot of record existing prior to April 21, 1999. A one-time subdivision creating one lot from a nonconforming lot of record (lot existing prior to April 21, 1999) shall be allowed, if each lot resulting from the subdivision meets the minimum lot area requirement of Table 5.14-2. An Ingress/Egress Easement may be utilized to access a proposed lot (singular) to the rear of the property. The setback from the edge of the easement will be the required side setback required for Zoning District. The side setback from the edge of the easement will only be utilized to create one (1) proposed lot from the provision of: ONE TIME SUBDIVISION OF A NON-CONFORMING LOT OF RECORD EXISTING PRIOR TO APRIL 21, 1999.

#### C. Gated Communities

Gated communities shall be prohibited.

#### D. Fences/Walls

The maximum height for residential fences is six feet. Open, transparent fencing is encouraged in the SL-O. Fences made of opaque materials and chain link fences shall not exceed four feet in height.

#### E. Temporary Special Events

Temporary Special Events shall be allowed in the Residential Areas of the SL-O subject to the requirements for Temporary Special Events Permits for Agricultural and Residential Zoning Districts as contained in Article 6.7, Special Events Use, of this Ordinance.

#### F. Other Regulations

Development in the Residential Area shall comply with all other applicable regulations of this Ordinance.

#### §5.15.7 COMMERCIAL AREAS

The Commercial Areas shown on the map titled "Sol Legare Community Overlay Zoning District" are intended to re-establish the proportion, location and scale of small neighborhood businesses that historically existed in the community. Some properties historically had commercial uses, but were zoned S-3, resulting in non-conforming structures and uses. These properties are now zoned "Commercial" in the SL-O, to allow the possible redevelopment of parcels. The requirements of the CN Zoning District shall apply for all matters not addressed in this overlay zoning district for the Commercial Areas. The following requirements apply to parcels in the Commercial Areas in addition to the applicable requirements of this Ordinance:

#### A. Density, Intensity and Dimensional Standards

- All residential development in the Commercial Areas shall comply with the density, intensity and dimensional standards of the Residential Areas as contained in Section 5.15.6, provided, however, that the Commercial Area requirements shall apply when residential development is included as part of a mixed use development (located within a mixed use building).
- 2) All non-residential development in the Commercial Areas shall comply with the Density/Intensity and Dimensional Standards listed in Table 5.15-3, below.

TABLE 5.15-3: COMMERCIAL AREAS
DENSITY/INTENSITY AND DIMENSIONAL STANDARDS (1)

MINIMUM LOT AREA	10,000 square feet		
MINIMUM LOT WIDTH	25 feet		
MINIMUM SETBACKS			
Front/Street Side	Equivalent to required buffers		
Interior Side	Equivalent to required buffers		
Rear	Equivalent to required buffers		
OCRM Critical Line	15 feet		
MAXIMUM BUILDING HEIGHT	35 feet		

MAXIMUM NET RESIDENTIAL DENSITY – MIXED OCCUPANCY (Developments containing commercial/office and residential uses)	Three (3) dwelling units per acre
MAXIMUM BUILDING COVERAGE	30% of lot
MAXIMUM BUILDING SIZE	No single building shall exceed 5,000 square feet of gross floor area. (2)

- (1) In instances where the SL-O standards conflict with Waterfront Development Standards, the SL-O standards shall apply. Where no specific standards are mentioned in the SL-O, the Waterfront Development Standards for the CN Zoning District in Chapter 9 of this Ordinance shall apply.
- (2) In instances where the building size requirements of this table are in conflict with those contained in Section 5.15.5.D, Use Conditions, and/or Article 6.4, Use Conditions, the most restrictive shall apply. Increases in building size may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures contained in this Ordinance.

#### B. Sign Regulations

In addition to the sign regulations contained in Article 9.11 of this Ordinance, the following regulations shall apply:

- 1) All signs shall be monument style.
- 2) Signs shall not exceed 6 feet in height and 40 square feet in size.
- 3) Internal illumination is prohibited.
- 4) Electronic message board signs are prohibited.

#### C. Special Stormwater Requirements

The Sol Legare Community Overlay Zoning District is located in the Sol Legare watershed and drainage basins, which are highly sensitive and reactive to coastal tidal and flooding conditions. Development within the Sol Legare watershed and drainage basins requires comprehensive stormwater analysis to minimize and mitigate any potential impacts. Construction activities within the Sol Legare watershed and drainage basins will be required to comply with current edition of the Charleston County Stormwater Program Permitting Standards and Procedures Manual in effect at the time of land development application submittal. Due to the watershed and drainage basin potential for flooding conditions, additional requirements may be established by the Public Works Director. The applicant shall meet with the Public Works Director to discuss specific design criteria pursuant to the requirements of the Charleston County Stormwater Program Permitting Standards Manual prior to submitting any subdivision or site plan review applications. Future stormwater studies of this area may require additional regulations.

#### D. Special Events

Temporary Special Events shall be allowed in the Commercial Areas of the SL-O subject to the requirements for Temporary Special Events Permits for Commercial Zoning Districts as contained in Article 6.7, Special Events Use, of this Ordinance.

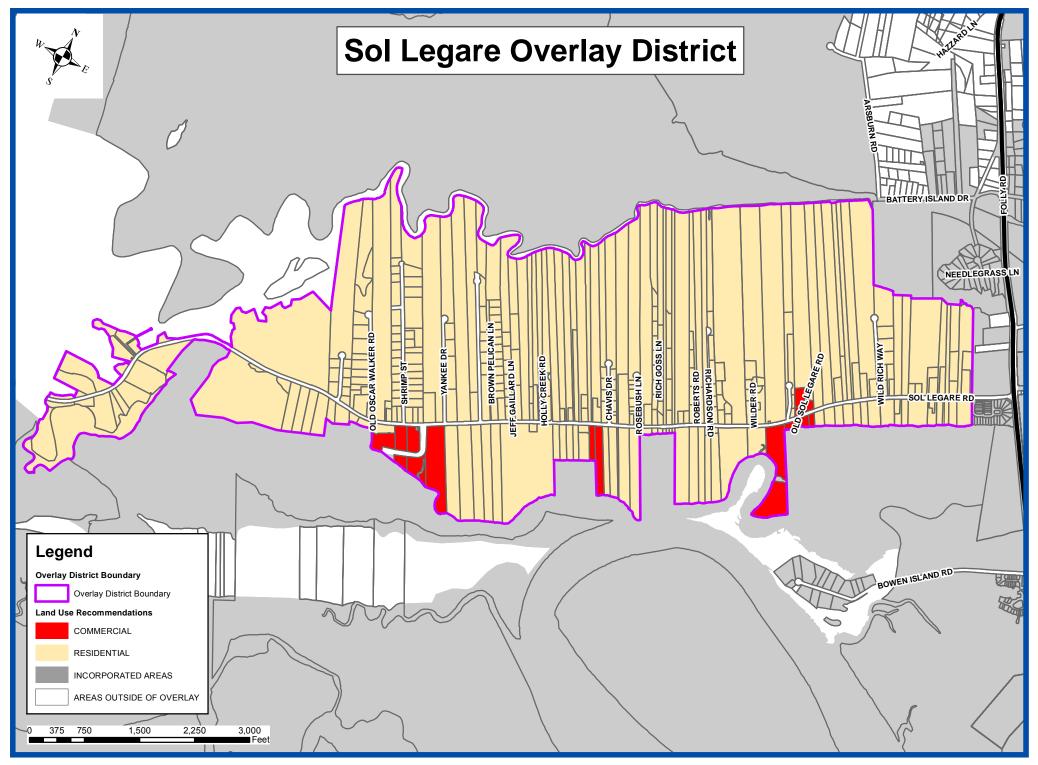
Special Events established as Principal Uses in the Commercial Areas of the SL-O are subject to the requirements of Article 6.7, Special Events Use, of this Ordinance, and specifically sections 6.7.4, Special Events Established as Principal Uses in Commercial and Industrial Zoning Districts, and Section 6.7.5, Outdoor Special Events.

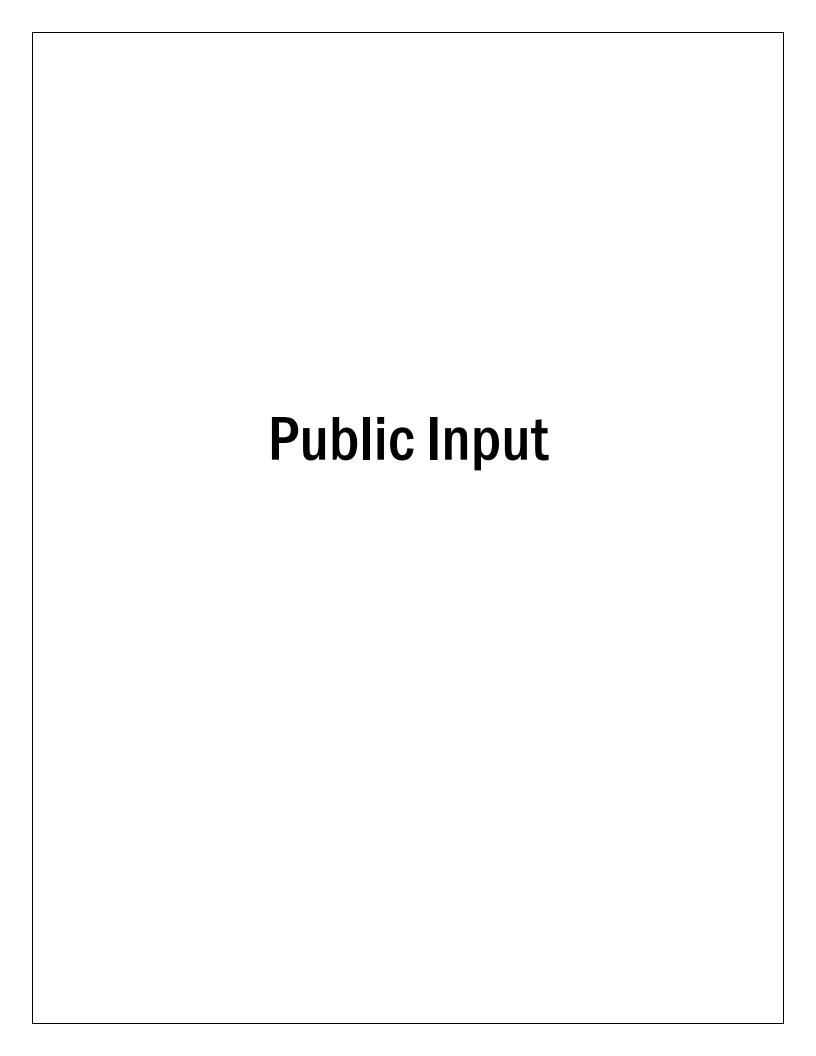
#### E. Other Regulations

Development in the Commercial Areas shall comply with all other applicable regulations of this Ordinance, including the development standards of Chapter 9.

Add the following definition to Chapter 12, Definitions:

Community Garden	Αþ	orivate	or	public	facility	for	the	cultivation	of	fruits,	flowers,
	veg	etables	, or	orname	ental pla	nts	by m	ore than on	е р	erson o	r family.





### BACKMANS SEAFOODS LLC

October 20, 2017

RE: Rezoning of parcels on Sol Legare

Mr. Joel Evens, Director of Planning Charleston County Department of Zoning & Planning 4045 Bridge Drive North Charleston, SC 29405

Dear Mr. Evens:

Thank you for taking the time out of your schedule in meeting with us on October 17, 2017. This a request to rezone the following parcels to commercial zoning: TMS # 3310500008; 3310500007: 3310500009; 33105000021; 3310500014.

Thank you kindly for your support and cooperation.

Sincerely;

Sammy L. Backman, President

### **Andrea Harris-Long**

From: Johnfmcdaniel <johnfmcdaniel@aol.com>
Sent: Monday, December 11, 2017 12:33 PM

**To:** Andrea Harris-Long **Subject:** Sol Legare overlay

Mrs Harris , In response to the proposed zoning overlay on Sol Legare, I oppose the overlay as proposed. I feel zoning has not given proper consideration to the overlay in regards to future land uses and access to those properties as they could be divided. Also the commercial areas as proposed and the effects on property values . The zoning department should take more time and study the effects of the long term results of such a proposal . Please advise the planning commission I feel such actions are for a small number of residents but would affect the values of all the residents and property owners of the Sol LeGare community

John McDaniel 2196 Sol Legare rd.

John McDaniel (803) 600 4908 C (803) 794 9366 F Broker M&M Real Estate Services LLC Coordinator McDaniel Construction

### **Andrea Harris-Long**

From: Jason Rosenthal <jayro1126@aol.com>
Sent: Monday, December 11, 2017 12:54 PM

**To:** Andrea Harris-Long

**Cc:** becky@beckyjohnston.com

**Subject:** Objection to new Sol Legare zoning

Hi Ms. Andrea,

I speak on behalf of myself, wife Susan, and mother Ellen, the three property owners of 2101 Fiddler Island Ln. We are all opposed to the Sol Legare overlay and strongly feel the zoning is already appropriate as is. We are in opposition to the commercialization of Mosquito Beach due to lack of adequate restrictions and also want to impress upon you the need to allow gated properties and communities due to the the crime in the area. Further, the narrow lots should just be able to go through Special Exception for their modifications instead of allowing blanket changes to take place. Please keep this email as three voices of of opposition as we are not able to attend the meeting later as it was scheduled during our workdays. Thank you!

Jason Rosenthal

### Properties Proposed for Commercial Zoning Designation in Sol Legare Overlay Zoning District

TMS Number	Address	Current Zoning	Proposed Zoning in SL-O
3310500031	1839 Sol Legare Road	S-3	Commercial Area
3310500014	1843 Sol Legare Road	S-3	Commercial Area
3310500021	1847 Sol Legare Road	S-3	Commercial Area
3310500007	1840 Sol Legare Road	S-3	Commercial Area
3310500013	1851/1855 Sol Legare Road	S-3	Commercial Area
3310500008 (portion of property)	0 Sol Legare Road	S-3	Commercial Area
3310500009	2022 Sol Legare Road	S-3	Commercial Area
3301100026	1987 Sol Legare Road	S-3	Commercial Area
3301200028	1981 Sol Legare Road	S-3	Commercial Area
3301000028	2206 Mosquito Beach Road	S-3	Commercial Area
3301000027	0 Mosquito Beach Road	S-3	Commercial Area
3301000065	0 Mosquito Beach Road	CC	Commercial Area
3301000026	2221/2225 Mosquito Beach Road	CC	Commercial Area
3301000025	2229 Mosquito Beach Road	S-3	Commercial Area

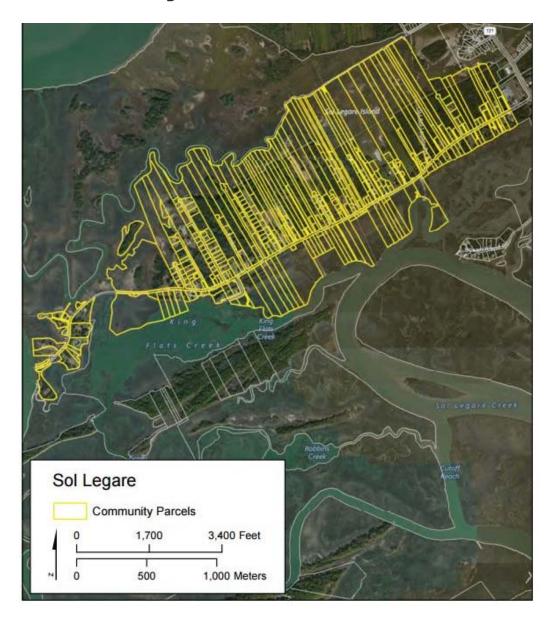
# Sol Legare Community Plan & Overlay Zoning District

Charleston County Council Public Hearing – February 13, 2018 Planning/Public Works Committee – February 22, 2018



### **Project Overview and History**

- Sol Legare is a historically African-American community that was first settled post-Reconstruction Era.
- The land was subdivided into long-lot farms with access to both the waterways and the main road (Sol Legare Road).
- The community was designated as "eligible for the National Register of Historic Places" in the 2016 Charleston County Historic Resources Survey Update.



### **Project Overview and History (cont'd)**

- The community thrived throughout the twentieth century, with successful small businesses such as Backman's Seafood and Mosquito Beach.
- As zoning regulations evolved, many of the commercial businesses in the area became legal non-conforming uses.
   Modern-day subdivision regulations prohibited further subdivision of properties.
- As a result of citizens' concerns about these zoning and land use issues, County Council directed staff to work with the Sol Legare community to identify the issues and desires, then to create a community plan and overlay zoning district.

### **Planning Process**

- June 2013 March 2014: Community workshops were held and community surveys were completed by community members, submitted, and analyzed
- October 2013 January 2015: Five-Year review of the County Comprehensive Plan adopted
  - Includes more flexibility for subdivision and local businesses and greater recognition of cultural protection needs for Sol Legare and similar communities
- September 2016: Update of Charleston County Historical and Architectural Survey completed
  - Recognizes the rich history and cultural resources located in the Sol Legare community
- Feb. 2017: Held community meeting to gather additional input for the Community Plan
- June 2017: Presented the Community Plan to the community for review and feedback
  - Community overwhelmingly supported the Plan!







### Sol Legare **Community Plan**

Preserving the history and culture of a small historic African-American community on James Island











### **Sol Legare Community Plan**

### **Community Plan Implementation & Strategies**

Once the Sol Legare Community Plan is adopted by County Council, the next step is to implement the strategies contained in the Plan. The strategies listed below were developed in coordination with residents of Sol Legare to address the issues identified in the Community Needs Survey and at community meetings. The strategies are intended to assist the community in achieving its vision for the future.

The first strategies are to evaluate and update the Community Plan on a consistent basis and work with the community to develop amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) to address the planning and zoning needs of the community. Once the ZLDR is amended, the remaining strategies should be prioritized and the community should engage the appropriate parties to address those strategies.

### Implementation Strategies

Listed below are the recommended implementation strategies to address the issues identified by the community and achieve their vision for the area.

- 1. Evaluate and update the Community Plan, as needed, with community input.
- 2. Planning and Zoning Strategies to allow more flexibility to subdivide property; allow additional land uses, where appropriate; and preserve the community character and existing natural and cultural resources.
  - Strategy 2.1: Adopt amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), including but not limited to an overlay zoning district, as applicable. Note: Page 10 demonstrates development currently existing in the area that the community would like to emulated. Commercial properties that may be redeveloped are also pictured.
  - Strategy 2.2: Monitor and evaluate the updated zoning ordinance and amend as needed.
- Public Works and Transportation Strategies to address road and drainage maintenance and improved transportation options.
  - Strategy 3.1: Coordinate with Charleston County Public Works, Charleston County Transportation Development, and South Carolina Department of Transportation (SCDOT) to ensure roads and ditches are properly maintained and repaired, as necessary.
  - Strategy 3.2: Coordinate with SCDOT and other applicable agencies to install sidewalks along Sol Legare Road, and pursue funding opportunities for the sidewalks through the Charleston County Transportation Sales Tax revenue and Charleston County Transportation Committee (CTC).
  - Strategy 3.3: Work with Charleston County Public Works and SCDOT to explore speed calming measures along Sol Legare Road, specifically near the boat landing, to minimize traffic hazards.
  - Strategy 3.4: Coordinate with Charleston County Public Works to request intersection improvements, including a dedicated right-turn lane from Sol Legare Road to Folly Beach and a dedicated left-turn lane from Sol Legare Road into the proposed new townhome development at the southwest corner of the Sol Legare/Folly Road intersection. These improvements would prevent stacking on Sol Legare Road.
  - Strategy 3.5: Work with CARTA to consider expanding routes to better serve the Sol Legare community.

### **Sol Legare Community Plan**

- 4. Public Service Strategies to improve safety services and install street lighting.
  - Strategy 4.1: Coordinate with the Charleston County Sheriff's Office to increase patrols in the community to decrease traffic and speeding violations and other illegal activities.
  - Strategy 4.2: Explore grant funding (such as complete streets programs, transportation alternatives program, etc.) for street beautification such as installation of street lights along Sol Legare Road.
  - Strategy 4.3: Work with the Charleston County Sheriff's Office to establish a Neighborhood Crime Watch program.
- **5. Community Specific Strategies** addressing housing affordability; heirs' property preservation; historic preservation; enhanced community programming; and community beautification efforts.
  - Strategy 5.1: Continue to build on the success of the Concerned Citizens of Sol Legare as advocates for community programs and services.
  - Strategy 5.2: Coordinate with Sea Island Habitat for Humanity, SC Community Loan Fund, and similar organizations to address housing affordability and rehabilitation of existing housing.
  - Strategy 5.3: Coordinate with roadway beautification organizations such as Palmetto Pride/Adopt-a-Highway to keep Sol Legare Road litter-free and scenic.
  - Strategy 5.4: Explore parternships with local non-profits such as Lowcountry Local First, Charleston County School District, Charleston Area Senior citizens (CASC), and Lowcountry Senior Center to expand services for residents, particularly senior citizens and area youth.
  - Strategy 5.5: Work with Lowcountry Local First to establish a farmer's market in the Sol Legare community.
  - Strategy 5.6: Continue building a relationship with The Center for Heirs' Property Preservation to educate area residents on the issue.
  - Strategy 5.7: Partner with local historic preservation organizations such as the Historic Charleston Foundation, National Trust for Historic Preservation, and Gullah Geechee Cultural Heritage Corridor to nominate Sol Legare for the National Register of Historic Places (NRHP) as a historic district. Listing the community on the NRHP affords opportunities for historic preservation tax incentives, grant opportunities, and consideration in planning for Federall, Federally licensed, and Federally assisted project.
  - Strategy 5.8: Explore opportunities to erect signage in the community to create a sense of place for residents and visitors. Signage could be in the form of historical markers through the State Historic Preservation Office or community signs that mimic the traditional colors and styles of the Gullah Geechee culture and be placed at key interest points throughout the community (entrance of community, Mosquito Beach, and boat landing).

### **Sol Legare Community Plan**

### Community Plan Implementation & Strategies

Once the Sol Legare Community Plan is adopted by County Council, the next step is to implement the strategies contained in the Plan. The strategies listed below were developed in coordination with residents of Sol Legare to address the issues identified in the Community Needs Survey and at community meetings. The strategies are intended to assist the community in achieving its vision for the future.

The first strategies are to evaluate and update the Community Plan on a consistent basis and work with the community to develop amendments to the *Charleston County Zoning and Land Development Regulations Ordinance (ZLDR)* to address the planning and zoning needs of the community. Once the ZLDR is amended, the remaining strategies should be prioritized and the community should engage the appropriate parties to address those strategies.

### Implementation Strategies

Listed below are the recommended implementation strategies to address the issues identified by the community and achieve their vision for the area.

- 1. Evaluate and update the Community Plan, as needed, with community input.
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Strategy 3.2: Coordin sidewalks through th

Strategy 3.3: Work w boat landing, to min

Strategy 3.4: Coording Road to Folly Beach : Legare/Folly Road in

Strategy 3.5: Work w

Strategy 2.1: Adopt amendments to the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), including but not limited to an overlay zoning district, as applicable.

# The Sol Legare Community Overlay Zoning District (SL-O) is a result of:

- Community surveys from 2013-2014
- Public input from the community meetings held from 2013-2017
- Individual meetings and conversations with property owners and residents



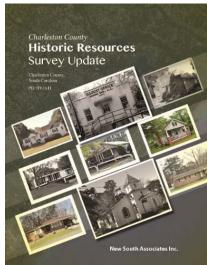


# The Sol Legare Community Overlay Zoning District (SL-O)

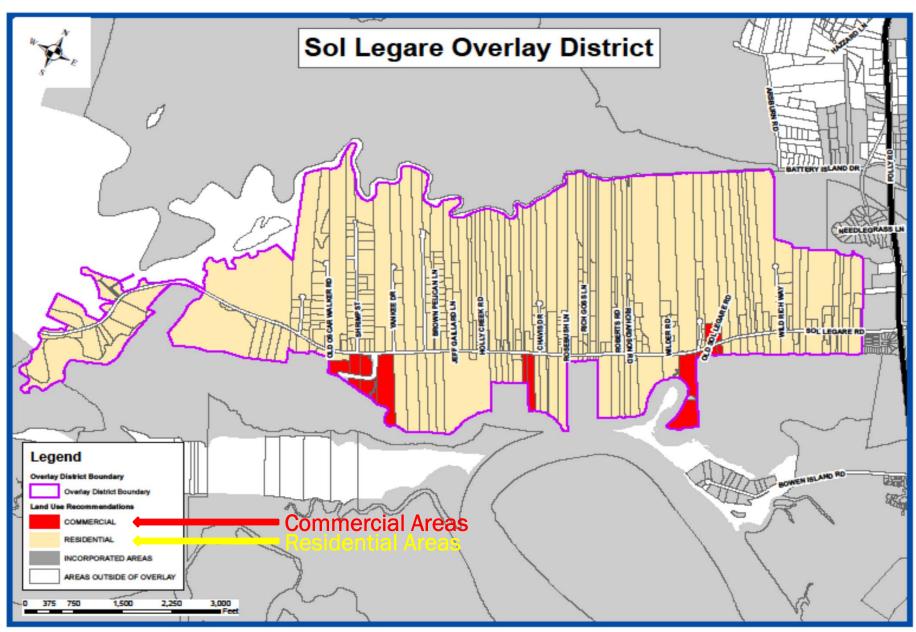
- Presented to the community on October 30, 2017
  - Community members were supportive of the overlay zoning district
- Addresses primary community needs and issues by:
  - Establishing flexible subdivision options for the unique long, narrow lots in the area
  - Allowing for the redevelopment of properties that have historically had commercial uses (e.g. Backman's Seafood, Mosquito Beach, etc.)
  - Relaxing standards for home occupations and accessory dwelling units

# The Sol Legare Community Overlay Zoning District (SL-O) Purpose and Intent

- Implements the Charleston County
  Comprehensive Plan by creating an overall
  vision for the future of the Sol Legare
  Community that "...protects and promotes the
  culture and unique development patterns of
  existing communities and sustain their strong
  sense of community"
- Preserves and promotes the cultural significance and historical land development patterns of Sol Legare identified in the 2016 Charleston County Historic Resources Survey Update







### **Residential Area**

Similar to the current zoning, Special Management 3 (S-3),
 with added flexibility

	S-3 Development Option	SL-O Development Option	
MAXIMUM DENSITY	3 dwelling units per acre	3 dwelling units per acre	
MINIMUM LOT AREA	14,500 SF; 12,500 SF if public water and/or sewer is available	10,000 SF	
MINIMUM LOT WIDTH	80 feet; 70 feet with public water and/or sewer is available	50 feet	
MINIMUM LOT WIDTH:DEPTH RATIO	None	None	
MINIMUM SETBACKS			
Front/Street Side	25 feet	10 feet	
Interior Side	15 feet	5 feet	
Rear	25 feet	5 feet	
OCRM Critical Line	30 feet	30 feet	
MAXIMUM BUILDING COVER	30% of lot	30% of lot	
MAXIMUM BUILDING HEIGHT	35 feet	35 feet	
MAXIMUM BUILDING SIZE	None	2,500 SF	

### **Residential Area**

• Similar to the current zoning, Special Management 3 (S-3), with added flexibility

	S-3 Development Option	SL-O Development Option	
MAXIMUM DENSITY	3 dwelling units per acre	3 dwelling units per acre	
	14,500 SF; 12,500 SF if	-	
MINIMUM LOT AREA	public water and/or sewer is	10,000 SF	
	available		
	80 feet; 70 feet with public	_	
MINIMUM LOT WIDTH	water and/or sewer is	50 feet	
	available	•	
MINIMUM LOT WIDTH:DEPTH RATIO	None	None	
IINIMUM SETBACKS			
Front/Street Side	25 feet	10 feet	
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Rear	25 feet	5 feet	
OCRM Critical Line	30 feet	30 feet	
MAXIMUM BUILDING COVER	30% of lot	30% of lot	
MAXIMUM BUILDING HEIGHT	35 feet	35 feet	
MAXIMUM BUILDING SIZE	None	2,500 SF	

- Allowed uses are similar to what is currently allowed in the S-3 Zoning District
- Added the following land uses:
  - Community Garden
  - Artisan and Craftsman
    - Required to have all activities confined to a structure that is entirely enclosed
    - On-site retail sales are limited to artisan or handmade items produced on the premises only

### Duplexes

- Must have twice the minimum lot size; however, lots of record that exist prior to the date of the SL-O adoption are exempt from this requirement.
- Must architecturally blend with existing single-family dwelling units
- May not exceed 2,500 SF (for both units)

- The following uses are only allowed by Special Exception:
  - Manufactured Housing Units and Replacements
  - Schools (including pre-school, primary and secondary school, and college facilities)
  - Eco-Tourism
  - Social Club or Lodge
  - Community Dock
  - Commercial Dock

- Short-Term Rentals
  - Must comply with the regulations adopted by Charleston County Council
- Accessory Dwelling Units (ADUs) such as "mother-in-law suites" or guest houses



- No minimum lot size required (currently, we require 1.5 times the minimum lot size)
- Maximum size of 800 SF with the ability to go up to 1,500 SF through the Special Exception process (limited to 800 SF currently)
- Separate electrical meters are allowed for attached ADUs (not allowed in the ordinance currently)
- Must comply with setbacks, buffers, and other requirements

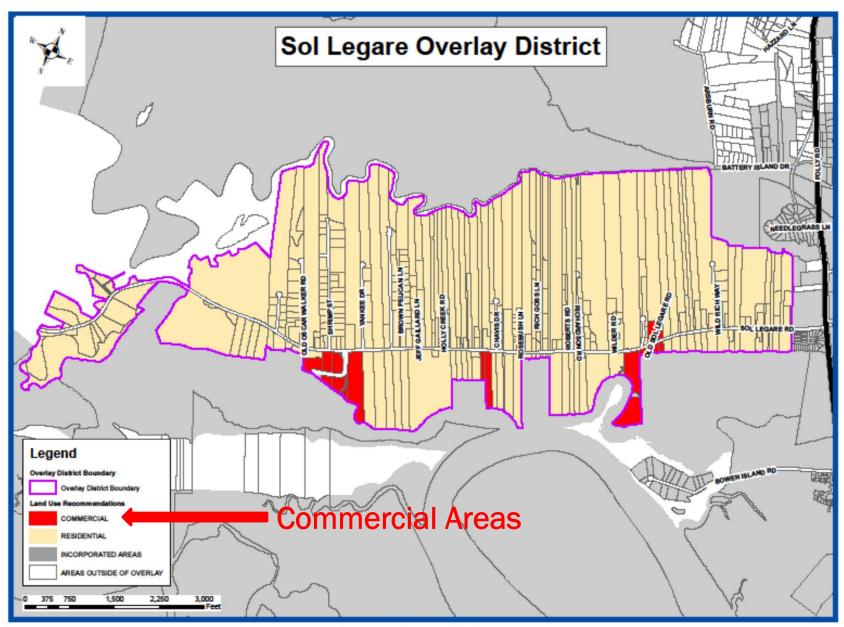
Home Occupations are specific types of work and employment that can be conducted from home within the primary dwelling unit or an accessory structure.

- Vehicle/Equipment Repair and Special Trade Contractors are allowed if:
  - They take place in an enclosed structure;
  - Pose no noise or safety concerns; and
  - Comply with all other Home Occupation requirements.
- Up to 5 nonresident employees are permitted, if a Special Exception is granted by the Board of Zoning Appeals. If no Special Exception is granted, then only one employee is permitted.

- Gated communities are prohibited.
- Fence Requirements
  - Maximum height for residential fences is six feet.
  - Open, transparent fencing is encouraged.
  - Fences made of opaque materials and chain link fences shall not exceed four feet in height.







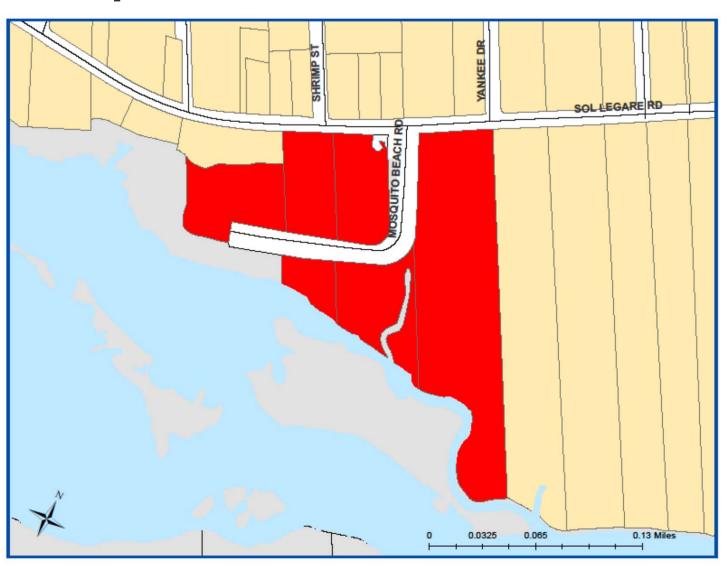
James Island, SC

DRAFT - November 2017

### **Designating the Commercial Areas**

- The community stated that they would like to see former commercial properties have the opportunity to redevelop, but they do not want to see many new commercial uses develop.
- Working with the community, we identified the following commercial areas:
  - Mosquito Beach
  - Backman's Seafood property(s)
  - Seashore Lodge
  - Vacant snack/convenience stores at 1981 and 1987 Sol Legare Road

### **Mosquito Beach**



# **Mosquito Beach**

### 1981 and 1987 Sol Legare Road



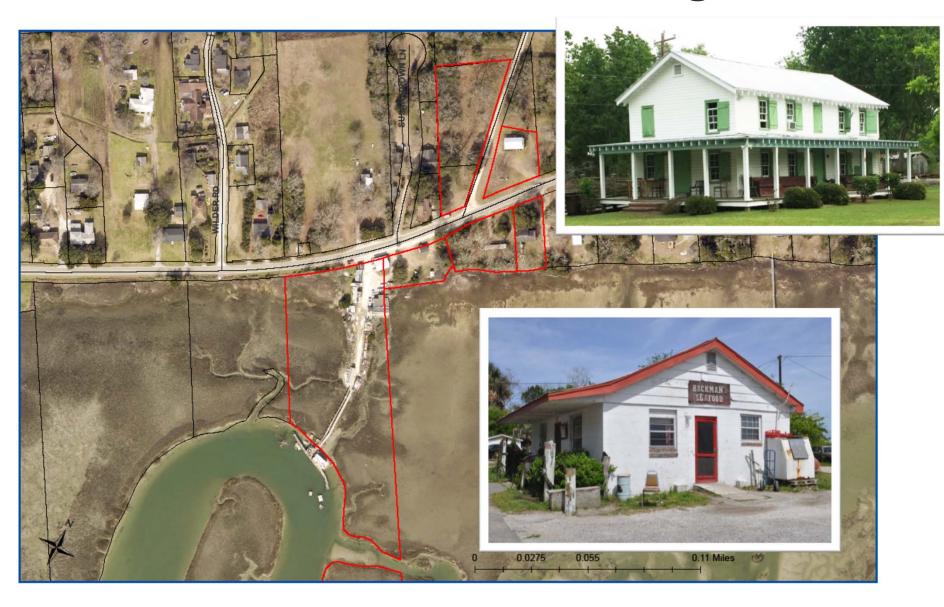
### 1981 and 1987 Sol Legare Road



### **Backman's Seafood and Seashore Lodge Area**



### Backman's Seafood and Seashore Lodge Area



### **Commercial Areas**

MINIMUM LOT AREA	10,000 square feet	
MINIMUM LOT WIDTH	25 feet	
MINIMUM SETBACKS		
Front/Street Side	Equivalent to required buffers	
Interior Side	Equivalent to required buffers	
Rear	Equivalent to required buffers	
OCRM Critical Line	15 feet	
MAXIMUM BUILDING HEIGHT	35 feet	
MAXIMUM NET RESIDENTIAL DENSITY – MIXED  OCCUPANCY (Developments containing commercial/office and residential uses)	Three (3) dwelling units per acre	
MAXIMUM BUILDING COVERAGE	30% of lot	
MAXIMUM BUILDING SIZE	No single building shall exceed 5,000 square feet of gross floor area.	

### Commercial Areas – Use Regulations

### **Permitted Uses**

- Apiculture (bee keeping)
- Crop production
- Bona Fide forestry operations
- Private stable
- Community garden
- Single-Family Detached Residences
- Duplex
- Mixed Use/Occupancy
- Community Recreation
- Eco-Tourism
- Religious or civic organizations
- Small animal boarding
- Restaurants
- Office

- Water-Dependent Commercial (e.g. Backman's Seafood, Crosby's Seafood, etc.)
- Retail sales, including:
  - Food sales (grocery stores, meat markets, candy shops, etc.)
  - Art stores
  - Convenience stores
  - Florist
  - Furniture store
- Sweetgrass basket stands
- Locksmith
- Tailor or seamstress
- Hair or nail salon
- Personal Improvement Service
- Small-scale manufacturing

### Commercial Areas – Use Regulations

### Uses allowed by Special Exception

- Manufactured Housing Units
- Schools
- Health care services
- Hotels/motels
- RV parks or campgrounds
- Kennel
- Bar or Lounge
- Office/warehouse complex
- Special Trade Contractors (offices/storage)
- Parking Lot
- Consumer repair service
- Community or Commercial dock
- Water transportation or sightseeing transportation (land or water)

### **Commercial Areas – Use Conditions**

### Special Trade Contractors

- Restrict tractor trailer containers from being used in outdoor storage areas
- Prohibit outdoor storage of vehicles, materials, and equipment
- Hours of operation are limited from 7am to 7pm

### Artisan and Craftsman uses

- Subject to noise/nuisance regulations
- Outdoor storage of materials is prohibited
- Limited to 2,000 SF in size and five employees

### Manufacturing and Production

- Maximum floor area of 2,000 SF and no more than five employees
- On-site retail sales are prohibited.
- Activities must be confined to a structure that is entirely enclosed.

### Fast Food restaurants

Drive-thru windows are prohibited.

### Commercial Areas – Use Conditions

### Parking Lots

- When a parking lot is proposed to be the principal use of a property, a Special Exception is required.
- A parking lot can only be the principal use of a property if it is serving a business that is located within 1000' feet of the property.
- Parking garages are prohibited.

## Commercial Areas – Development Standards

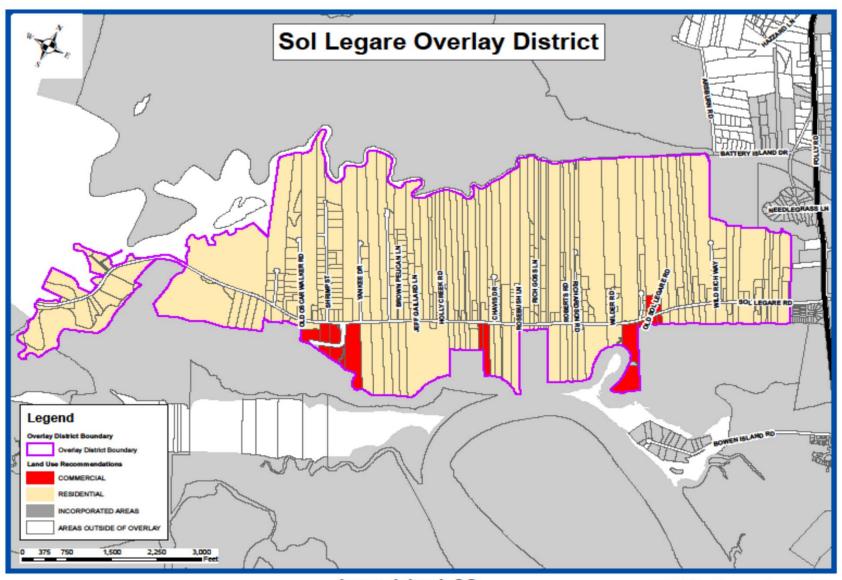
- Sign Regulations
  - All signs shall be monument style.
  - Signs shall not exceed 6 feet in height and 40 square feet in size.
  - Internal illumination is prohibited.
  - Electronic message boards are prohibited.





# COMPREHENSIVE PLAN AMENDMENTS

### Insert the map below as Map 3.1.15 in Land Use Element & include in Future Land Use Map



### **Chapter 4.2 Index of Resources**

- Berkeley-Charleston-Dorchester Council of Governments. 2004. Berkeley

  County Comprehensive Plan Update 2004. Charleston: BerkeleyCharleston-Dorchester Council of Governments.
- Berkeley-Charleston-Dorchester Council of Governments. 2004.

  Dorchester County Comprehensive Plan Update 2004. Charleston:
  Berkeley-Charleston-Dorchester Council of Governments.
- Berkeley-Charleston-Dorchester Council of Governments. 2005. *Growth Indicators in the Berkeley Charleston Dorchester Region*. Charleston: Berkeley-Charleston-Dorchester Council of Governments.
- Berkeley-Charleston-Dorchester Council of Governments. 2004. *Town of Awendaw*. Charleston: Berkeley-Charleston-Dorchester Council of Governments.
- Berkeley-Charleston-Dorchester Council of Governments. 1999 and 2006.

  Town of McClellanville Comprehensive Plan. Charleston: Berkeley-Charleston-Dorchester Council of Governments.
- Berkeley-Charleston-Dorchester Council of Governments and Toole Design Group. 2005. Berkeley Charleston Dorchester Regional Pedestrian and Bicycle Action Plan. College Park: Toole Design Group.

Include Sol Legare Community Plan in the list of Support and Related Documents

#### Support and Related Documents

The following documents are integral parts of the creation and implementation of this Comprehensive Plan. They are available from the County Planning Department and are included here for reference purposes.

- Data and documents provided by the Berkeley-Charleston-Dorchester Council of Governments
- Charleston County Plan Implementation Toolbox
- Charleston County Demand Analysis 2007
- Charleston County Capacity Analysis 2008
- Charleston County Greenbelt Plan 2006
- Charleston County Comprehensive Transportation Plan 2006
- · DuPont | Wappoo Community Plan
- Parkers Ferry Community Plan
- Summary of Public Comments October 2007
- Summary of Public Comments February 2008
- Summary of Public Comments July 2008
- Summary of Public Comments 2014

### **Notifications**

- Post & Courier ads ran on November 24, 2017, December 8, 2017, and January 5, 2018
- 897 notification letters/emails were sent to:
  - Owners of property located within the project boundary;
  - Owners of property within 300 feet of the project boundary;
  - All persons that signed in at one or more workshops/meetings regarding the project; and
  - All persons included on the County's James Island and Comprehensive Plan/ZLDR Interested Parties' Lists.
- Approx. 350 signs were posted on subject properties on Dec. 12, 2017 and Jan. 18, 2018.

### **Public Input**

- Sammy Backman, owner of Backman Seafood LLC, submitted a letter requesting that his property and surrounding properties be designated as Commercial.
- Two emails in opposition have been received.

### Planning Commission Recommendation: Approval (vote: 9-0)

Sol Legare Community Plan

Overlay Zoning District

Comprehensive Plan Amendments