CITY OF CHARLESTON
Planning Commission  Agenda Package

FOR THE MEETING OF:

January 19, 2022
5:00PM - Regular Meeting

CITY OF CHARLESTON  DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc
A meeting of the Planning Commission will be held **Wednesday, January 19, 2022**, at 5:00 p.m., virtually via Zoom. Register and access the meeting online at: https://us02web.zoom.us/webinar/register/WN_PLo2c-wmT6izTFomrpSxow. To access via phone, dial 1 (929) 205-6099. Meeting ID# 898 7032 2955. Technical assistance line: (843) 724-3788. The meeting will be streamed on YouTube at https://www.youtube.com/channel/UCBofP1rUhr3PnAGIY3w7a5Q/playlists.

**Public Comment Instructions:**
Written comments will be acknowledged into the record and summarized. You are encouraged to sign up to speak if you would prefer your comments be heard aloud. Use one of the following methods below to request to speak at the meeting or provide comments for the Commission. **Requests to submit comments must be received by 12:00 p.m., Tuesday, January 18. Requests to sign up to speak must be received by 12:00 p.m., Wednesday, January 19. For all options, be sure to provide your name, address, telephone number, meeting date and agenda item description.**

1. Call 843-724-3765; or
2. Complete the form at http://innovate.charleston-sc.gov/comments/; or
3. Mail comments to: Department of Planning, Preservation and Sustainability, 2 George Street, 3rd floor, Charleston, SC 29401.

**NOTICE:** There will likely be changes to the meeting format and public comment deadlines for the next Planning Commission meeting to be held February 16, 2022. Details of any such changes will be outlined on the corresponding meeting agenda.

The following applications will be considered at the January Planning Commission meeting. Information on the applications, will be available at www.charleston-sc.gov/pc in advance of the meeting.

**MINUTES**
Request approval of minutes from the **December 15, 2021** Planning Commission meeting.

**REZONINGS**
1. 3351, 3357 & 3363 Maybank Hwy (Johns Island) TMS # 2790000189, 184, 185 & 307 – approx. 6.9 ac. Request rezoning from General Office (GO) to Business Park (BP).

   **Owner:** Berkeley Electric Cooperative, Inc.
   **Applicant:** Hoyt+Berenyi, LLC

**ORDINANCE AMENDMENT**
1. To Amend Article 3 (Site Regulations), Part 4 (Off-Street Parking Requirements) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding two new sections to provide for shared parking.

2. To amend Article 2 (Land Use Regulations), Part 4 (Accessory Uses) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to clarify certain allowed outdoor activities under Home Occupations.
**Zoning**

1. **2221 S Dallerton Circle (Sylcope - West Ashley) - TMS # 3100700059** – approx. 0.5 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   
   Owner: Zachary Carnevale

2. **2216 S Dallerton Circle (Sylcope - West Ashley) - TMS # 3100700044** – approx. 0.26 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   
   Owner: Danielle D. Cerasi

3. **1506 N Edgewater Dr (Edgewater Park - West Ashley) - TMS # 3490900026** – approx. 1.59 ac. Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   
   Owners: Ellison C. Livingston, III and Jeanne R. Livingston

   
   Owner: Glory Holdings LLC

5. **2319 Lazy River Dr (Parkdale – West Ashley) – TMS # 3101400014** – approx. 0.62 ac. Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   
   Owners: Carl E. Seel, Jr. and Jean B. Seel

**Election of Chair and Vice-Chair**

Commission selection of a chairperson and vice-chairperson to serve until January 2023.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Additional information on these cases may also be obtained by visiting [www.charleston-sc.gov](http://www.charleston-sc.gov). In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.
CITY OF CHARLESTON
PLANNING COMMISSION

January 19, 2022

Rezoning 1:

3351, 3357 & 3363 Maybank Hwy
(Johns Island)

BACKGROUND

The applicant is requesting to rezone the subject properties from General Office (GO) to Business Park (BP).

The GO district is intended to provide for professional, administrative, executive and government offices including, but not limited to, medical, insurance, real estate, attorney, engineering, and financial offices. The BP district is intended to accommodate service type commercial, wholesale, storage, and light manufacturing uses with relatively limited external effects in a high quality environment. Uses which fit into this category are characterized by being low traffic generators, having no external environmental effects across property lines, and having all outdoor storage screened from adjoining rights-of-ways and properties by a minimum six-foot tall solid fence or wall and landscape buffer, if required.

CITY PLAN RECOMMENDATIONS

The subject property is designated as Neighborhood Edge in the Charleston City Plan, which is found on the periphery of existing neighborhoods and future neighborhoods. Uses vary widely but are mainly those things that residents need such as offices, stores and restaurants that are typically found along roads and transit routes forming the edges of neighborhoods rather than the centers. While traditionally threaded along major roads, over time, these areas could transition to more urban compact design patterns and contain more residential uses; especially along major transit routes.

STAFF RECOMMENDATION

APPROVAL
REZONING 1

3351, 3357 & 3363 Maybank Hwy (Johns Island)

TMS # 2790000189, 184, 185 & 307

approx. 6.9 ac.

Request rezoning from General Office (GO) to Business Park (BP).

Owner: Berkeley Electric Cooperative, Inc.
Applicant: Hoyt+Berenyi, LLC
CITY OF CHARLESTON
PLANNING COMMISSION

January 19, 2022

Ordinance Amendment 1:
To Amend Article 3 (Site Regulations), Part 4 (Off-Street Parking Requirements) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding two new sections to provide for shared parking.

BACKGROUND
To be presented at meeting.

STAFF RECOMMENDATION
APPROVAL
AN ORDINANCE

TO AMEND ARTICLE 3 (SITE REGULATIONS), PART 4 (OFF-STREET PARKING REQUIREMENTS) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TWO NEW SECTIONS TO PROVIDE FOR SHARED PARKING.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Article 3, Part 4 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following two new sections after Sec. 54-319, which shall read as follows:

Sec. 54-319.1. – Shared parking.

1. The Technical Review Committee (TRC) may authorize a parking reduction for a new development site or redevelopment site zoned General Business (GB) with multiple uses upon the review of a shared parking analysis that demonstrates that the uses are in close proximity to one another and have different peak parking demands and operating hours. For the purposes of this section, development site shall mean a lot or parcel of land or combination of lots or parcels of land proposed for development. If a development site has more than one (1) parcel or lot with different owners, all property owners will be required to sign the application for shared parking, and shall be required to execute and record in the public records a declaration on a form provided by the Department of Planning, Preservation and Sustainability, hereinafter department, stating that the parcels have been developed as a single unit for purposes of meeting the zoning ordinance requirements. The declaration shall include a legal description of each parcel and shall state that no parcel may be developed separate from the other parcel unless each parcel standing alone meets the requirements of the shared parking approval.

a. Shared parking study. The shared parking analysis shall clearly identify the uses that will use the shared spaces at different times of the day, week, month or year subject to the following:

i. The shared parking analysis shall be based on the Urban Land Institute's (ULI) Shared Parking Model (latest edition). The analysis must be prepared and sealed by a registered engineer in the State of South Carolina with transportation expertise;

ii. The shared parking analysis shall address the size and type of activities, the composition of tenants or, uses, the rate of turnover for proposed shared spaces, and the anticipated peak parking and traffic demands;
iii. The shared parking analysis shall provide for no reduction in the number of handicapped spaces;

iv. The shared parking analysis shall provide a plan to convert reserved space to required spaces; and,
v. The shared parking analysis shall be approved by TRC prior to submittal, based on the feasibility and observations of the uses to share the parking due to their particular peak parking and trip generation characteristics; and

vi. Shared use parking approval shall only be valid for those uses as indicated in the study;

vii. If a parking reduction is approved under the provisions of this section, such approval shall be evidenced by the issuance of an order in the manner prescribed in Section 54-319.1., 2.

b. Change in use. Should any of the approved uses as indicated in the approved shared parking analysis change, or should the Zoning Director or Department of Traffic and Transportation, or its successor, find that any of the conditions described in the approved shared parking analysis or parking reduction order no longer exist, the owner of record shall have the option of submitting a revised shared parking analysis in accordance with the standards of this section or of providing the number of spaces required for each use as if computed separately.

2. Parking reduction order. If an application for shared parking is approved, such approval shall be evidenced in an order executed by the department and a consent to order executed by the applicant. The order shall state the number of parking spaces required to be provided, a legal description of the property where the parking is to be provided and the property served by the parking area and the conditions upon which the shared parking is approved. The parking reduction order shall only take effect upon the recordation of the order in the County Register of Deeds office at the expense of the applicant and filed with the department by applicant.

a. The parking reduction order shall act as a restrictive covenant running with the land and be binding on any successors in interest or assigns of the property owner.

3. If there is a failure of any condition contained in the parking reduction order, the owner of the property or agent shall:

a. Apply for an amended parking reduction order. The application shall show that although the condition has failed, it does not adversely impact the character and integrity of surrounding properties or that additional conditions will be substituted for any failed condition. The department may require a new parking study as provided in subsection A.1.d to support the application.

b. In the event the department agrees with the application, the department may approve the amendment to shared parking.

c. When final, the amended order shall be prepared for execution and recording in the County Register of Deeds office at applicant's expense by the applicant.

d. If the department determines that failure of the condition adversely impacts the character and integrity of surrounding properties, the owner will be required to
comply with the condition or obtain a new parking reduction order in accordance with this section. Failure of a condition of a parking reduction order without approval of an amended or new parking reduction order as provided herein shall be a violation of the Zoning Ordinance.

4. If a shared parking application includes the use of an off-site parcel owned by other than the applicant for parking or purposes related to parking, an off-site parking agreement in accordance with Section 54-319.2 will be required.

5. A parking reduction order may be terminated by application of the owner of the property affected by the order to the department if it is shown that parking has been provided which meets the requirements of Article 3, Part 4 Off-street parking requirements, and the use no longer needs a parking reduction. A termination of the parking reduction order shall be executed by the department and recorded in the public records of the county at the applicant's expense. A copy of the recorded order shall be filed with the department by the applicant.

Sec. 54-319.2. – Off-site parking agreement.

1. When the required off-street parking for a shared use parking approval is to be provided on a site at a location different from the site which will be served by the parking as provided in Section 54-319.1, the owner of the off-site parcel of land and the owner of the land intended to be served by such shared use parking approval (if different than the owner of the parcel to be used for parking) shall enter into an agreement with the City. The off-site parking area shall never be sold or transferred except in conjunction with the sale of the parcel served by the off-site parking facilities unless:

   a. The parcel to be sold will continue to be used as provided in the off-site parking agreement and the new owner executes a consent to assume and be bound by the obligations of the owner of the parcel used for parking as provided in the agreement. The consent shall be in a form approved and executed by the department and recorded in the County Register of Deeds Office at the expense of the owner. A copy of the recorded document shall be provided by owner to the department; or

   b. A different parcel complying with the provisions of the Article 3, Part 4 Off-street parking requirements, and subject to a recorded off-site parking agreement as specified herein may be substituted for the parcel of land subject to the off-site parking agreement; or

   c. The parcel being served by the off-site parking no longer requires the parking as evidenced by a written statement executed by the parties executing the off-site parking agreement and as approved by the department and a termination of the off-site parking agreement is executed by the department and recorded in the County Register of Deeds office at owner's expense.

Section 2. This ordinance shall become effective upon ratification.
Ratified in City Council this day of in the year of Our Lord, in the Year of the Independence of the United States of America.

By: ____________________________
    John J. Tecklenburg, Mayor
    City of Charleston

ATTEST: By: ____________________________
    Jennifer Cook
    Clerk of Council
CITY OF CHARLESTON
PLANNING COMMISSION

January 19, 2022

Ordinance Amendment 2:
To amend Article 2 (Land Use Regulations), Part 4 (Accessory Uses) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) to clarify certain allowed outdoor activities under Home Occupations.

BACKGROUND

To be presented at meeting.

STAFF RECOMMENDATION

APPROVAL
AN ORDINANCE

TO AMEND ARTICLE 2 (LAND USE REGULATIONS), PART 4 (ACCESSORY USES) OF CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO CLARIFY CERTAIN ALLOWED OUTDOOR ACTIVITIES UNDER HOME OCCUPATIONS

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Part 4 (Accessory Uses) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the text shown below with a double-underline and deleting text shown below with a strike-through:

Sec. 54-211. Home occupations.

a. A home occupation may be established in a dwelling unit on a property in any zoning district, as an accessory use to the principal residential use, if the intended home occupation meets the conditions listed below. The business owner must complete and sign a "Home Occupation Application." The completed application shall constitute zoning approval.

1. The home occupation shall be a use that is customarily conducted within a dwelling by the resident of record, is incidental and subordinate to the principal residential use, and does not constitute a nuisance or adversely affect the use and development of adjoining properties in the neighborhood. Home occupations shall include, in general, but not be limited to, personal services such as furnished by an artist, musician, seamstress or instructor. Also, a home occupation may be a business that maintains an office within a dwelling, but conducts business activity at another location away from the dwelling. This includes, but is not limited to, building contractor, lawn care service, painter, pressure washing, interior design, cleaning service, or newspaper delivery. A home occupation shall not include such occupations as adult uses, motor vehicle repairs, motor vehicle rental, motor vehicle sales, tattooing, tea rooms, tourist homes, bed and breakfasts short term rentals, rooming or boarding houses, animal kennels or hospitals, physicians, dentists or other offices for diagnosis, prevention, alleviation, or cure of disease or disability, retail businesses, or occupations which have vehicles, other than vehicles as described below, parked or stored at the dwelling.

2. The home occupation shall be clearly incidental to the principal residential use of the property and shall not change the essential residential character of the property.

3. Outdoor activities. All activities and storage areas associated with home occupations must be conducted in completely enclosed buildings, with the exception of swimming instructions.

4. Use of the dwelling for this purpose shall be limited to thirty-three percent (33%) of the existing principal building and up to 650 square feet of an enclosed accessory building.

5. No outside storage shall be used in connection with the home occupation.

6. No electrical, mechanical, or chemical equipment that is not normally a part of domestic or household equipment shall be permitted. There shall be created no dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat, cold or dampness; electromagnetic or other disturbance; glare; liquid or solid refuse or other waste; or other objectionable substance, condition or element.
7. There shall be no exterior display, no exterior storage of materials, no exterior sign, except as permitted by the applicable district regulations, and no other exterior indication of the home occupation or internal or external alterations inconsistent with the residential use or character of the dwelling.

8. Such occupation shall be carried on by a resident, members of his family living on the premises, and no more than one full-time or part-time nonresident employee who works at the residence used for the home occupation. The home occupation may have other employees who are not working at the residence, but work at other off-site locations, if applicable. For the purpose of this section, the term "nonresident employee" includes an employee, business partner, co-owner, or other person affiliated with the home occupation, who does not live at the site, but who may work at the site as a part of the home occupation.

9. Display of products shall not be visible from the street and only articles made on the premises may be sold on the premises.

10. Instruction in music, dancing, swimming, art and similar instruction shall be limited to two students at a time, with the expectation that pick-up and drop-off times are arranged in a manner that minimizes impact to the neighborhood.

11. A barber shop or beauty shop with not more than one (1) chair shall be permitted as a home occupation if the other requirements of this Section are met.

12. Passenger vehicles only shall be permitted in connection with the conduct of the home occupation. Passenger vehicles include motorcycles, automobiles, pickup trucks and vans. No truck cabs, or other large trucks or semi-truck trailers shall be allowed.

13. No traffic shall be generated by such home occupation in greater volume than would normally be expected in the neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.

14. Nothing in this section shall allow zoning approval for a home occupation which creates or causes to be created noises, noxious odors, or conditions injurious to the health, safety, morals, or welfare of the community. The Board of Zoning Appeals-Zoning shall review all appeals to decisions of the Zoning Administrator. Such zoning approval shall be revoked upon a finding that any home occupation established under this Chapter fails at any time to meet the requirements prescribed herein.

In granting the zoning approval for a home occupation, the Zoning Administrator may impose such reasonable and additional stipulations, conditions or safeguards, as deemed necessary to fulfill the purposes and intent of this Chapter.

b. Expiration. The Zoning Permit for a home occupation shall expire under the following conditions:

1. Whenever the applicant ceases to occupy the premises for which the home occupation was issued. No subsequent occupant of such premises shall engage in any home occupation until a new permit has been issued through proper application.

2. Whenever the applicant fails to exercise the use permitted for any period of twelve (12) consecutive months.

3. Whenever in the judgment of the Zoning Administrator the home occupation exceeds the limitations of this Chapter or the restrictions stated on the zoning approval, a notice which revokes the Home Occupation zoning approval shall be mailed by certified mail to the licensee stating the date the permit is to be voided. The licensee may request a hearing before the Board of Zoning Appeals-Zoning for a reinstatement of the Home Occupation zoning approval.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of ___________ in the Year of Our Lord, 2022, and in the _____ Year of the Independence of the United States of America

________________________________________
John J. Tecklenburg, Mayor

ATTEST: _____________________________________
Jennifer Cook
Clerk of Council
**Zonings:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Address</th>
<th>Approx. Acres</th>
<th>Current Land Use</th>
<th>City Plan Rec</th>
<th>County Zoning</th>
<th>Rec Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2221 S Dallerton Circle (West Ashley)</td>
<td>0.5</td>
<td>Residential</td>
<td>Low Impact/Conserved</td>
<td>Single-Family Residential (R-4)</td>
<td>Single-Family Residential (SR-1)</td>
</tr>
<tr>
<td>2.</td>
<td>2216 S Dallerton Circle (West Ashley)</td>
<td>0.26</td>
<td>Residential</td>
<td>Low Impact/Conserved</td>
<td>Single-Family Residential (R-4)</td>
<td>Single-Family Residential (SR-1)</td>
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<tr>
<td>3.</td>
<td>1506 N Edgewater Dr (West Ashley)</td>
<td>1.59</td>
<td>Residential</td>
<td>Low Impact/Conserved</td>
<td>Single-Family Residential (R-4)</td>
<td>Rural Residential (RR-1)</td>
</tr>
<tr>
<td>4.</td>
<td>30, 32 &amp; 34 Wedgepark Dr; 43 &amp; 49 Lolandra Ave</td>
<td>0.99</td>
<td>Residential</td>
<td>Suburban</td>
<td>Single-Family Residential (R-4)</td>
<td>Single-Family Residential (SR-1) and (SR-2)</td>
</tr>
<tr>
<td>5.</td>
<td>2319 Lazy River Dr</td>
<td>0.62</td>
<td>Residential</td>
<td>Low Impact/Conserved</td>
<td>Single-Family Residential (R-4)</td>
<td>Rural Residential (RR-1)</td>
</tr>
</tbody>
</table>

**BACKGROUND**

The subject properties are pending annexation into the City of Charleston. The recommended zonings are comparable to the County zoning and surrounding City zonings and align with recommended land use in the City Plan.

For parcels within Low Impact/Conserved areas that are in existing developed neighborhoods, staff will typically recommend zoning classifications that limit the ability for future subdivision and development, while avoiding the creation of legal non-conforming lots. In the City Plan Future Land Use Map, 49 Lolandra is designated as Low Impact/Conserved because it is immediately adjacent to a low-lying (7 ft or lower) parcel. However, the parcel itself ranges in 9-12 ft of elevation like the others in its group, so staff have recommended for the same zoning as the others it is grouped with.
ZONING 1

2221 S Dallerton Circle
(Sylcope - West Ashley)

TMS # 3100700059

approx. 0.5 ac.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
ZONING 2

2216 S Dallerton Circle
(Sylcope - West Ashley)

TMS # 3100700044

approx. 0.26 ac.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
ZONING 3

1506 N Edgewater Dr
(Edgewater Park - West Ashley)

TMS # 3490900026

approx. 1.59 ac.

Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in

Location
ZONING 4
30, 32 & 34 Wedgepark Rd, 43 & 49 Lolandra Ave
(Carolina Terrace – West Ashley)
TMS # 4181300254-256, 260 & 262
approx. 0.99 ac.

Request zoning of Single-Family Residential (SR-2) for properties fronting Wedgepark Rd and Single-Family Residential (SR-1) for properties fronting Lolandra Ave. Zoned Single-Family Residential (R-4) in Charleston County.

Owner: Glory Holdings LLC
ZONING 5

2319 Lazy River Dr
(Parkdale – West Ashley)

TMS # 3101400014

approx. 0.62 ac.

Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in Charleston County.

Owners: Carl E. Seel, Jr. and Jean B. Seel