FOR THE MEETING OF:

October 16, 2019    2 George St, Charleston, SC
5:00PM - Regular Meeting

CITY OF CHARLESTON
DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc
A meeting of the City of Charleston Planning Commission will be held at 5:00 p.m., on Wednesday, October 16, 2019 in the Public Meeting Room, 1st Floor, 2 George St. The following applications will be considered:

**APPROVAL OF MINUTES**

Commission approval of minutes from the Planning Commission January – April 2019 meetings.

**REZONINGS**

1. **98 Line St (Peninsula) a portion of TMS# 4600404004** – approx. 0.016 ac. Request rezoning from Diverse Residential (DR-2F) to Commercial Transitional (CT).
   
   Owner: Haute on Line, LLC
   
   Applicant: Erika V. Harrison

2. **1522 Balsam St (West Ashley) TMS# 3500700045** – 0.55 ac. Request rezoning from Single- and Two-family Residential (STR) to Diverse Residential (DR-1F).
   
   Owner: Anthony Coaxum
   
   Applicant: Same as owner

3. **645 East Bay St (Peninsula) TMS# 4590604021** – 0.13 ac. Request rezoning from Limited Business (LB) to Mixed-Use/Work Force Housing (MU-1/WH).
   
   Owner: Jimmy C Washington II
   
   Applicant: Atlantic South LLC – Adrian Williams, PE

4. **245 Huger St (Peninsula) TMS # 4590103048** – 0.50 ac. Request rezoning to include the property in the Accommodations Overlay Zone (A).
   
   Owner: Chase Furniture Company Inc
   
   Applicant: City of Charleston

**SUBDIVISION PROPERTY CONVERSION**

1. **0 Castlereagh Rd (West Ashley) TMS# 3530200167** – 0.28 ac. Request under Section 54-815 of the Zoning Code to convert the parcel from common area/park parcel (reserve parcel) to a building site for a single-family residence.

**SUBDIVISIONS**

1. **Central Park Rd (Central Park Cluster Development - James Island) TMS# 3400300007** – approx. 10.35 ac. 38 lots. Request one (1) year extension of subdivision concept plan approval. Zoned Single-Family Residential (SR-1).

2. **Pepperbush St (Crossing at Verdier - West Ashley) TMS# 3010000028** – approx. 21.275 ac. 42 lots. Request subdivision concept plan approval. Zoned Planned Unit Development (PUD) (Verdier Pointe).
**Ordinance Amendments**

1. Request approval of an ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items.

2. Request approval of an ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by establishing archaeological preservation standards.

3. Maybank Hwy & Bohicket Rd (Sea Island Health Care/Angel Oak Village – Johns Island) TMS# 2790000142, 248 AND 309 – approx. 51.67 ac. Request an amendment to the Planned Unit Development Master Plan and Development Guidelines for this property.
   - Owner: Sea Island Health Care Corporation
   - Applicant: Forsberg Engineering & Surveying, Inc.

**Zonings**

1. **2951 Bolton Rd (West Ashley) TMS# 3071000044** – 0.32 ac. Request zoning of Single-family Residential (SR-1). Zoned Single-family Residential (R-4) in Charleston County.

2. **2591 Morning Dove Ln (West Ashley) TMS# 3550500132** – 0.28 ac. Request zoning of Planned Unit Development (PUD) (Canterbury Woods). Zoned Planned Development (PD) in Charleston County.

3. **Properties on Playground Rd (West Ashley) TMS# 4180500045 and 337** – 0.36 ac. Request zoning of Single-Family Residential (SR-2). Zoned Single-Family Residential (R-4) in Charleston County.
   - Owner: City of Charleston

4. **Property on Rushland Landing Rd (Johns Island) TMS# 3110000309** – 3.76 ac. Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   - Owners: Martin S Roache, Reico Harris, and Herb Fraser

5. **2988 Bolton Rd (West Ashley) TMS# 3071000037** – 0.5 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   - Owner: Sandra Lynn Mixson

6. **333 and 335 Wappoo Rd (West Ashley) TMS# 3501000144** – 0.46 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.

7. **Properties on Savannah Hwy and Hughes Rd (West Ashley) TMS# 2870000139, 140, 142 and 178** – 28.85 ac. – Request zoning of Planned Unit Development (PUD) (Cosby Tract). Zoned Single-Family Residential (R-4) and Community Commercial (CC) in Charleston County.

**Election of Chair**


Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc.

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 three business days prior to the meeting.
The applicant is requesting a rezoning of a portion of the property from Diverse Residential (DR-2F) to Commercial Transitional (CT). The subject property is on the North side of Line Street between Coming Street and Saint Philip Street, and is surrounded by Mixed-Use/Workforce Housing (MU-1/WH), General Business (GB) and DR-2F. Neighboring uses include primarily residential, with some office and commercial. Currently on the subject property is a small vacant building designed for commercial use with a small drive and parking in the rear. The requested rezoning is only for a 0.016 acre portion (out of the 0.13 acre lot) that contains the vacant building and a small area to the rear for parking.

The requested CT zoning allows for a limited amount of commercial uses that are compatible with adjacent residential areas, such as offices, libraries and small neighborhood retail. CT also limits the size and hours of operation of certain commercial uses. The current zoning of DR-2F does not allow for commercial uses.

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject property is designated in the Century V Plan as Urban. Areas designated as such in the plan are typified by mixed-use and variety of building types in an urban format. The CT zoning is appropriate for the mixture of residential and commercial encouraged by the Urban designation and is consistent with the existing pattern of development in the surrounding area.

STAFF RECOMMENDATION

APPROVAL
Rezoning 1

98 Line St (Peninsula)

A portion of TMS# 4600404004

approx. 0.016 acre of 0.12 acre parcel

Request rezoning from Diverse Residential (DR-2F) to Commercial Transitional (CT).

Owner: Haute on Line, LLC
Applicant: Erika V. Harrison
98 Line St, Century V Plan

[Map showing land use and location of 98 Line St]
BACKGROUND

The applicant is requesting a rezoning from Single- and Two-Family Residential (STR) to Diverse Residential (DR1-F). The subject property, located in the Ardmore/Sherwood Forest neighborhood of West Ashley, is on a corner lot at the intersection of Balsam Street and Locust Street. The property also backs up to the West Ashley bikeway. The property is surrounded by Single-Family Residential (SR-2), STR and Diverse Residential (DR-1F) zoning. The property currently contains a single-family home and is surrounded by residential uses. When the neighborhood was originally platted, the subject property was three separate 0.18-acre lots that have since been combined.

DR-1F zoning allows for multi-family residential (3 or more dwellings) at a density of 19.4 units per acre. On the 0.55 acre lot, this zoning would allow for up to 10 units, before factoring in space for required parking, setbacks and frontage. The current zoning STR only allows for up to one two-family dwelling.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. Historically, the neighborhood was zoned primarily Diverse Residential until 1986 when a large portion of the neighborhood was rezoned wholesale to Single-Family Residential (SR-2). In the Century V Plan, the subject property is designated as Suburban which encourages low density, suburban-style areas, adjacent to higher zones that include some mixed-use. The requested DR-1F zoning district allows for more density than is the intent of the Suburban designation, but it does align with the existing patterns of development currently and historically in the surrounding area.

STAFF RECOMMENDATION

APPROVAL
Rezoning 2
1522 Balsam St (West Ashley)
TMS# 3500700045

0.55 acre
Request rezoning from Single- and Two-family Residential (STR) to Diverse Residential (DR-1F)

Owner/Applicant: Anthony Coaxum
The applicant is requesting a rezoning from Limited Business (LB) to Mixed-Use/Workforce Housing (MU-1/WH). The subject property is located on East Bay Street near where it intersects with Amherst Street; across the street from the railyard. Surrounding zonings are a mixture of MU-1/WH, Light Industrial (LI), Limited Business (LB) and Diverse Residential (DR-2F). The subject property is currently a vacant undeveloped lot surrounded by residential and immediately adjacent to a lot being developed as multi-family housing.

The requested MU-1/WH zoning is an incentive based zoning that intends to promote a mixture of housing opportunities for a range of income levels, along with appropriate nonresidential uses. The incentive of reduced parking requirements provides for the creation of such developments in urban areas of the city where on street parking or other public parking is customary and can be reasonably accommodated. The requested zoning allows for the same uses under the current zoning of LB, but requires that the development include workforce housing or pay a fee in lieu to the City’s affordable/workforce housing account.

CENTURY V CITY PLAN RECOMMENDATIONS

The Century V Plan recommends maintaining the character of established areas in the City when considering the rezoning of property. The subject property is designated in the Century V Plan as Urban Core which is intended to be the densest, most mixed-use portion of the City. The requested Mixed-Use/Workforce Housing zoning district aligns well with the intent of the Urban Core designation as well as the existing patterns of development in the surrounding area.

STAFF RECOMMENDATION

APPROVAL
Rezoning 3
645 East Bay St (Peninsula)
TMS# 4590604021

0.11 acre
Request rezoning from Limited Business (LB) to Mixed-Use/Workforce Housing (MU-1/WH)

Owner: Jimmy C Washington II
Applicant: Atlantic South LLC - Adrian Williams, PE
645 East Bay St - Century V Plan
The applicant is requesting rezoning to be included in the Accommodations Overlay Zone (A). This rezoning request was previously approved by the Planning Commission in June 2019, but was denied by Council until proposed changes were made to the Accommodations Overlay ordinance, changes that were approved at the most recent City Council meeting on October 8, 2019. The rezoning request is being brought before the Planning Commission again by request of City Council, now that changes have been made to the Accommodations Ordinance to better protect the character of its existing neighborhoods and to minimize potential negative impacts.

The subject property is a half-acre lot located on the south side of Huger Street near the intersection with Meeting Street. The property is zoned Upper Peninsula (UP) and is surrounded by UP, General Business (GB) and Light Industrial (LI) zonings. The property across Huger Street is zoned in the Accommodations Overlay as is the property nearby on the northwest corner of Meeting Street and Huger Street; neither of which contain accommodations uses (the property across the street is undeveloped and the property on the corner developed as a mixed-use project containing only multi-family residential and commercial uses). Uses surrounding the subject property include a church to the south, a dilapidated retail building to the west and a dilapidated house to the east. The subject property contains a small warehouse currently used for furniture storage.

The Accommodations Overlay Zone is intended to identify areas within the City limits where accommodations uses are appropriate and may be permitted.

**CENTURY V CITY PLAN RECOMMENDATIONS**

The Century V Plan encourages appropriate infill development within already urbanized areas. The Century V Plan map indicates the subject properties are within an area designated as **Urban Core**. The Urban Core is the densest, most mixed-use portion of the City generally comprised of the central business district. The area of the peninsula surrounding the subject property consists of a wide variety of uses and building types, thus mixed-use zoning districts are appropriate for this area. The Century V Plan does not specifically recommend areas where accommodations uses are appropriate which means adding property to the A Overlay Zone is taken on a case by case basis through careful consideration by the Planning Commission and City Council.

**STAFF RECOMMENDATION**

APPROVAL
Rezoning 5
245 Huger St (Peninsula)
TMS# 4590103048
0.50 ac.

Request rezoning to include the property in the Accommodations Overlay Zone (A).

Owner: Chase Furniture Company Inc
Applicant: Ben Chase
CITY OF CHARLESTON
PLANNING COMMISSION

October 16, 2019

Subdivision Property Conversion 1:

0 Castlereagh Rd
TMS# 353-02-00-167

BACKGROUND

This property is located in the Hemingwood Subdivision in West Ashley. The subdivision was built under Charleston County jurisdiction in 1989 and was annexed into the City of Charleston in 1993. On the final subdivision plat recorded on August 24, 1989, the lot in question is shown as a 12,390.33 square feet “park (common area)”. The owner of the property wishes to remove the park/common area status of the parcel and convert it to a building site in order to build a new single family residence on the parcel. The Hemmingwood PUD requires a minimum lot size of 6,000 square feet for a residential parcel.

Per Sec. 54-815 of the City of Charleston Zoning Ordinance, this conversion requires approval by the Planning Commission.

Sec. 54-815. - Miscellaneous platting situations.
Converting parcels to building sites. A land parcel created by deed or land parcel identified as a reserve parcel on a plat may be converted to a building site within the limits set forth in this chapter. Removal of the reserve status shall require Planning Commission approval.

STAFF RECOMMENDATION

APPROVAL
Subdivision Property Conversion 1
0 Castlereagh Rd (West Ashley)
TMS# 3530200167
0.28 ac.

Request under Section 54-815 of the Zoning Code to convert the parcel from common area/park parcel (reserve parcel) to a building site for a single-family residence.

Owner: 782A Rutledge, LLC
Applicant: O’Shea Law Firm
BACKGROUND

The applicant is seeking a one-year extension of the Concept Plan approval granted by the Planning Commission on November 15, 2017 pursuant to Sec. 54-962 of the City of Charleston Zoning Ordinance:

Sec. 54-962. - Term.

The approval of a site specific development plan results in a two-year vested right in the approved site specific development plan. Upon application by the landowner of property with a vested right at the end of the two-year vested right term to the local governing body that approved the site specific development plan, the term shall be extended on an annual basis for up to five (5) annual extensions, provided there have been no amendments to this Chapter which precludes or prohibits any aspect of the site specific development plan.

(Ord. No. 2005-99, § 1, 6-21-05)

The Central Park Concept Plan was approved on November 15, 2017 with the following conditions:

1. Proposed tree removals require approval by BZA-SD prior to the preliminary plat and road construction plans being submitted to TRC.
2. Drainage easements should be evaluated to confirm they can meet or exceed the required capacity of stormwater

STAFF RECOMMENDATION

Approval of one-year extension to November 15, 2020 with the same conditions.
Subdivision 1
Central Park Rd
(Central Park Cluster Development - James Island)
TMS# 3400300007
approx. 10.35 ac.
38 lots. Request one (1) year extension of subdivision concept plan approval. Zoned Single-Family Residential (SR-1).

Owner: Central Park Rd, LLC
Applicant: SeamonWhitside +

Location
BACKGROUND

The applicant is requesting subdivision concept plan approval for 10.35 acres on Pepperbush Street in West Ashley. This project consists in the creation of new rights-of-way to serve 38 parcels for single-family detached homes as well as open space. The proposed rights-of-way are typical for Residential Streets in the Verdier Pointe PUD and the new parcels conform to the subdivision requirements for new parcels in the PUD. There are wetlands on the parcel; wetlands are proposed to be impacted by the proposed subdivision. The City’s Technical Review Committee (TRC) has reviewed the conceptual subdivision for compliance with City standards.

The property is zoned Planned Unit Development (PUD) under the Verdier Point PUD. The PUD allows for single-family detached and attached residential units. The surrounding existing uses include single and multi-family residential and commercial uses are proposed as future development continues.

STAFF RECOMMENDATION

TBD
Subdivision 2
Pepperbush St
(Crossing at Verdier - West Ashley)
TMS# 3010000028
approx. 21.275 ac.

42 lots. Request subdivision concept plan approval. Zoned Planned Unit Development (PUD) (Verdier Pointe).

Owner: Henry Kuznik
Applicant: HLA, Inc.
CITY OF CHARLESTON
PLANNING COMMISSION

October 16, 2019

Ordinance Amendment 1:

Request approval of an ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending applicable sections related to the Design Review Board in order to establish board member alternates, prioritize placement of affordable/workforce housing projects on agendas, and limit the number of agenda items.

BACKGROUND

This ordinance will be presented in detail during the Planning Commission meeting.

STAFF RECOMMENDATION

APPROVAL
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING APPLICABLE SECTIONS RELATED TO THE DESIGN REVIEW BOARD IN ORDER TO ESTABLISH BOARD MEMBER ALTERNATES, PRIORITIZE PLACEMENT OF AFFORDABLE/WORKFORCE HOUSING PROJECTS ON AGENDAS, AND LIMIT THE NUMBER OF AGENDA ITEMS.

Section 1. That Section 54-269 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with strikethrough and adding text shown below with double underline:

“Sec. 54-269. - Design Review Board created; composition, appointment and terms of members.

a.____ A Design Review Board is hereby established. Such board shall consist of seven (7) board members and two (2) alternates who do not hold any other public office or position in the City of Charleston and are appointed by City Council. Board members shall be citizens of the City of Charleston, with the exception of the professions required by this ordinance who may be non-citizen owners or principals of a business within the City of Charleston. These members and alternates shall have a demonstrated interest in, and a competence and knowledge of architecture, landscape architecture and urban design. The Board, and shall include four (4) design professionals including at least one (1) registered architect, one registered landscape architect, one (1) professional engineer, and one (1) realtor/development professional. The board shall elect one of its members chairman, who shall serve for one year or until he is re-elected or his successor is elected and qualified. The board shall appoint a secretary who may be an officer of the governing authority. The board shall adopt rules of procedure.

b.____ Board members and alternates shall serve staggered terms of four (4) years or until their successors are appointed as described in the Code of the City of Charleston Sec. 2-152. The initial terms of three (3) of seven (7) members first appointed shall expire on the date of the first regular City Council meeting in
January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four years. No member shall serve more than two successive four-year terms. An appointment to fill a vacancy shall be only for the unexpired portion of the term.

c. Alternate members, when seated, have all the powers and duties of regular members. Alternate members may always attend meetings but shall only participate in Board deliberations and debate, make motions and vote in the absence or voting disqualification of a regular member or the vacancy of a regular member's seat.”

Section 2. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to revise the section title and first paragraph by deleting text shown below with strikethrough and adding text shown below with double underline:

“Sec. 54-273. - Approval procedures. Application and review procedures. The procedures outlined below are to be followed for all projects seeking approval by the Board or administrative officer. Submittals must be complete and shall be received by the Urban Design and Preservation Division Department of Planning, Preservation and Sustainability, or its successor department, in accordance with the published schedule of deadlines and meeting dates and submittal requirements, at least eight (8) days prior to the date of the next scheduled Board meeting. “

Section 3. That Section 54-273 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to inserting new subsection g. in alphabetical order as shown below:

“g. Affordable/Workforce Housing Projects: Projects which include affordable or workforce housing units that are submitted by the application deadline and which comply with all submittal requirements shall be placed on the agenda of the next regularly scheduled meeting of the Board, subject to Rules of the Board if any, that limit the number of items on agenda. This does not apply to projects that opt to pay fee in lieu of workforce housing.”
Section 4. That Appendix K, Article I, Section 1 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below adding text shown below with double underline:

“Section 1. - Rules.
These rules of procedure are adopted pursuant to S.C. Code 6-29-870 for the City of Charleston Design Review Board, which consist of seven (7) members and two (2) alternates appointed by City Council.”

Section 5. That Appendix K, Article I, Section 4 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with strikethrough and adding text shown below with double underline:

“Section 4. - Terms of Members Office.
The Chairman and Vice-Chairman shall serve for one year or until he is re-elected or his successor is elected and qualified. The initial terms of three (3) of seven (7) members first appointed shall expire on the date of the first regular City Council meeting January next following their appointment, and the initial terms of the other four (4) of the seven (7) members first appointed shall expire on the date of the first regular City Council meeting in January two years thereafter. Following the initial term, the terms of all members shall be four (4) years. No member shall serve more than two successive four year terms. An appointment to fill a vacancy shall only be for the unexpired portion of the term.”

Section 6. That Appendix K, Article II, Section 3 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with double underline:

“Section 3. - Agenda.
A written agenda shall be furnished by the secretary staff to each member of the Board and the news media and shall be posted at least five (5) days prior to each regular meeting, and at least twenty four (24) hours prior to a special meeting. Items may be removed from the agenda or postponed at a meeting by a majority vote. An agenda for the Board shall contain no more than ten (10) applications. The Board may waive these limitations, upon request of the staff.”

Section 7. This Ordinance shall become effective upon ratification.
Ratified in City Council this _____ day of
____________ in the Year of Our Lord, 2019,
and in the _____ Year of the Independence of
the United States of America

John J. Tecklenburg, Mayor

ATTEST: ________________________________________

Clerk of Council
Ordinance Amendment 2:

To amend chapter 54 of the code of the city of charleston (zoning ordinance) by adding thereto a new part 16 entitled archaeological preservation and to set forth applicable requirements.

BACKGROUND

This ordinance was prepared by request of the Historic Charleston Foundation and will be presented in detail during the Planning Commission meeting.

THIS ITEM IS UP FOR DISCUSSION ONLY. NO VOTES WILL BE TAKEN.
AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING THERETO A NEW PART 16 ENTITLED ARCHAEOLOGICAL PRESERVATION AND TO SET FORTH APPLICABLE REQUIREMENTS.

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

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding the following sections:

“PART 16
ARCHAEOLOGICAL PRESERVATION

Sec. 54-367. Findings

Charleston contains many areas that are historically and culturally important. The protection, enhancement, and preservation of properties and areas of cultural and archaeological significance are in the interests of the people of the City of Charleston. Furthermore, there is educational value and benefit to identifying and understanding archaeological resources related to various historic time periods, diverse cultures, historically marginalized groups, and various socioeconomic settings. The City’s 2007 Preservation Plan recognized the archaeological significance of Charleston and recommended creating and adopting an archaeology ordinance.

Federal policies and guidelines to advance the preservation and accommodation of archaeological resources are set forth in the Section 106 of the National Historic Preservation Act and United States Department of the Interior regulations (36 CFR 60, 36CFR 63, 36 CFR 66, AND 36 CFR 800) and are incorporated by reference in the South Carolina State Historic Preservation Office’s (SHPO) published Guidelines and Standards for Archaeological Investigation.
Sec. 54-368. Purpose and intent

a. Purpose. Archaeological preservation standards are established herein for the purpose of identifying, evaluating, protecting, preserving, excavating, and interpreting archaeological resources in the City of Charleston during the process of land development.

b. Intent. Archaeological preservation standards are intended to apply to areas within the City of Charleston that have special value because they have yielded archaeological resources or because of the probable presence of notable archaeological resources relating to the cultural and historical heritage of the city, of such significance as to warrant preservation in place or, if not achievable, professional archaeological excavation. Archaeological resources of interest include, but are not limited to, the prehistoric American Indian period and historic American periods including the settlement of Charleston, remains of the only English walled city built in North America, colonial fortifications, historic 17th-20th century commercial and residential assemblages, and sites relating to African American history, culture and experiences.

Sec. 54-369. Defined Terms

For the purpose of this part and sections herein, the following terms are defined:

Archaeological Resource - Any material remains of past human life or activities which are at least seventy five (75) years old and of historic or prehistoric interest. Such materials include, but are not limited to ornaments, jewelry, textiles, ceremonial objects, armaments, maritime objects, human skeletal remains, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, water control devices, intaglios, personal items, clothing, household or business refuse, printed matter, manufactured items, or any piece of the foregoing items. Areas which contain these objects are also archaeological resources and include but are not limited to graves, wells, privies, trash pits, basements and foundations.

Archaeological Site – A defined area with physical remains of human activity greater than seventy five (75) years old for which a boundary can be established.

Qualified Archaeologist - An individual who meets the criteria set forth by the United States Secretary of the Interior’s Professional Qualification Standards for archaeology, as well as SHPO’s Guidelines and Standards for Archaeological Investigation.

Sec. 54-370. Administration

The City Archaeologist shall be authorized to administer and enforce archaeological preservation standards.
Sec. 54-371. Applicability

a. Proposed improvements to properties within the Old and Historic District or the Landmark Overlay Zone where there is new development, redevelopment, or changes to a building that require the approval of the Technical Review Committee (TRC) under Article 6 shall comply with archaeological preservation requirements herein. Compliance will be reviewed as part of the TRC plan review process and applicants should consult with the City Archaeologist before beginning this process.

b. Proposed improvements to single-family and 2-3 family properties within the Old and Historic District or the Landmark Overlay Zone where there is new development, redevelopment or changes to a building resulting in a new building or building footprint increase of 1,000 square feet or more. Compliance will be reviewed as part of the Board of Architectural (BAR) application process and applicants should consult with the City Archaeologist before beginning this process.

Sec. 54-372. Requirements for archaeological surveys, reports, and mitigation

a. Proposed developments shall be required to have a determination from the City Archaeologist whether or not the location of the proposed development site contains, or there is reasonable probability that the site contains archaeological resources. The City Archaeologist shall use existing and historic surveys, maps, papers, information from state agencies and other information resources to determine the potential of the site to yield archaeological information. Applicants are encouraged to consult with the City Archaeologist before beginning the development review process.

b. If the City Archaeologist determines that the proposed development site contains, or there is a reasonable probability the site contains archaeological resources, the applicant shall provide professional archaeological surveys and reports as noted in items 1-7 below in order to determine the existence and significance of any archaeological resources. The scope of work shall be determined in consultation with the City Archaeologist.

All surveys, evaluations, and reports shall be prepared by a qualified archaeologist and in accordance with the criteria established in South Carolina State Historic Preservation Office’s published Guidelines and Standards for Archaeological Investigation and all documentation shall be submitted to the City Archaeologist for review as part of the development plan review process.

1. **Reconnaissance Survey**: Shall be required if the City Archaeologist determines a site contains or there is reasonable probability that the site contains archaeological resources. A reconnaissance survey is an examination of all or part of an area accomplished in sufficient detail to make generalizations about the types and distributions of archaeological resources.
that may be present. A reconnaissance survey may include archival research, remote sensing, shovel testing or other limited exploratory excavations, predictive models, and site mapping.

2. **Intensive Survey:** May be required based on the findings of the reconnaissance survey. An intensive survey is a systematic, detailed examination of an area designed to gather information about archaeological resources sufficient to evaluate them for significance. An intensive survey may include archival research, surface testing, remote sensing, subsurface testing, and site mapping.

3. **Evaluative Testing:** May be required depending on the findings of the intensive survey. Evaluation is the process of determining whether or not identified archaeological resources meet defined criteria of significance set forth by the Department of the Interior standards.

4. **Assessment of Effect:** May be required if significant archaeological resources are found. The assessment will determine if the proposed development project will or will not have an adverse effect on the archaeological resources and will identify the need for appropriate mitigation.

5. **Mitigation:** May include preservation-in-place or excavation and data recovery. Data recovery of an archaeological site shall be conducted if the site cannot be preserved and a final report on the archaeological data recovery shall be produced. Mitigation shall be in accordance with applicable federal and state guidelines.

6. **Reporting:** All reports shall be submitted to the City Archaeologist and all identified archaeological sites shall be reported to the South Carolina Institute of Archaeology and Anthropology.

7. **Exceptions:** If the area of the proposed development has been previously surveyed for archaeological resources, and the survey report is available and meets the standards herein the applicant will not be required to perform another survey but instead shall submit or reference the previous report to the City Archaeologist.

c. After reviewing any required aforementioned archeological surveys and reports, the City Archaeologist shall issue their approval of the project as part of the TRC or BAR review process if it is determined that one or more of the following is true:
   1. No archaeological resources are located on the property; or
   2. The archaeological resources that may be impacted by the proposed development have been determined not to be significant; or
   3. The proposed development is assessed to have no adverse effect on significant archaeological resources and the applicant has documented that any
4. Significant archaeological resources exist on the property that are the subject of the proposed development and a mitigation plan has been approved to protect the resources. Final TRC and BAR approval may be granted prior to mitigation implementation however mitigation must be completed prior to the issuance of a building permit.

Sec. 54-373. Discoveries of archaeological resources during construction

If unexpected archaeological resources are discovered on a development site in the course of construction, the applicant shall immediately notify the City Archaeologist and arrange for a qualified archaeologist to assess the site and all development activity shall stop in order to meet the criteria in this section.

Sec. 54-374. Ownership of artifacts

a. Ownership. All artifacts uncovered, recovered or discovered on private property during the course of any activity prescribed herein shall belong to the owner of the property upon which such artifacts are found and shall be returned to the owner following analysis by the archaeological professional involved with the production of the archaeological report.
   1. Property owners are strongly encouraged to donate archaeological artifacts to a museum or appropriate institution for long-term storage, care, protection, preservation and so that they might be accessible to the public for educational purposes or include
   2. Alternately, property owners are encouraged to include and display within the new development any information or artifacts yielded from archaeological mitigation.

Sec. 54-375. Appeals and Penalties

Appeals shall be governed by the procedures set forth in Sec. 54-607 of this Code. Any violation of this chapter shall be subject to penalties provided in Sec. 54-950.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____________ in the Year of Our Lord, 2019,
and in the _____ th Year of the Independence of
the United States of America

BY:
______________________________
John J. Tecklenburg
Mayor, City of Charleston

Attest: ________________________
Vanessa Turner Maybank
Clerk of Council
CITY OF CHARLESTON
PLANNING COMMISSION

October 16, 2019

Ordinance Amendment 3:

Sea Island Health Care/Angel Oak Village PUD
PUD Amendment
(Maybank Hwy and Bohicket Rd)

BACKGROUND

The Sea Island Health Care (Angel Oak Village) Planned Unit Development Master Plan was initially approved in 2001 with two subsequent amendments in 2005 and 2008. On the original PUD Master Plan, the above parcel located on Maybank Highway was zoned P(GO) – General Office. This amendment looks to rezone this parcel as P(DR-2F) – Diverse Residential to allow 72 dwelling units to be constructed on the 2.73 acre parcel with a density of 26.4 units/acre.

STAFF RECOMMENDATION

Approval with conditions
CITY OF CHARLESTON
PLANNING COMMISSION

Zonings 1-6:
Recently Annexed Properties in West Ashley and Johns Island

BACKGROUND
The following zoning items located in West Ashley and Johns Island were recently annexed or are pending annexation into the City of Charleston. The zoning district recommended in the City closely matches the zoning assigned to the property in Charleston County or it is compatible with the context of the existing development or lot sizes in the surrounding neighborhood.

<table>
<thead>
<tr>
<th>Zoning Item</th>
<th>Property Address</th>
<th>Acres</th>
<th>Land Use</th>
<th>Previous Zoning</th>
<th>Recommended Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Ashley</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>2951 Bolton Rd</td>
<td>0.32</td>
<td>Single-Family Residential</td>
<td>R-4</td>
<td>SR-1</td>
</tr>
<tr>
<td>2.</td>
<td>2591 Morning Dove Ln</td>
<td>0.28</td>
<td>Single-Family Residential</td>
<td>PD</td>
<td>PUD</td>
</tr>
<tr>
<td>3.</td>
<td>Playground Rd</td>
<td>0.36</td>
<td>Single-Family Residential</td>
<td>R-4</td>
<td>SR-2</td>
</tr>
<tr>
<td>5.</td>
<td>2988 Bolton Rd</td>
<td>0.50</td>
<td>Single-Family Residential</td>
<td>R-4</td>
<td>SR-1</td>
</tr>
<tr>
<td>6.</td>
<td>333 and 335 Wappoo Rd</td>
<td>0.46</td>
<td>Single-Family Residential</td>
<td>R-4</td>
<td>SR-1</td>
</tr>
<tr>
<td>Johns Island</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Rushland Landing Rd</td>
<td>3.76</td>
<td>undeveloped</td>
<td>R-4</td>
<td>RR-1</td>
</tr>
</tbody>
</table>

*Canterbury Woods PUD

CENTURY V CITY PLAN RECOMMENDATIONS
The Century V Plan recommends maintaining the character of established areas in the City when considering the zoning of property. The subject properties are designated in the Century V Plan as Suburban or Suburban Edge which are predominately residential and low density. Given the existing zonings and existing pattern of development in the surrounding area the proposed zonings are appropriate for these sites.

STAFF RECOMMENDATION
APPROVAL OF ZONINGS 1-6
Zoning 1

2951 Bolton Rd (West Ashley)

TMS # 3071000044

0.32 acre

Request zoning of Single-Family Residential (SR-1). Zoned Single-family Residential (R-4) in Charleston County.
Zoning 2
2591 Morning Dove Ln (West Ashley)
TMS # 3550500132
0.28 acre

Request zoning of Planned Unit Development (PUD). Zoned Planned Development (PD) in Charleston County.
Zoning 3

Properties on Playground Rd (West Ashley)

TMS # 4180500045 and 337

0.36 acre

PROPERTIES ON PLAYGROUND RD - CENTURY V PLAN
Zoning 4

Property on Rushland Landing Rd (Johns Island)

TMS # 3110000309

3.76 acres

Request zoning of Rural Residential (RR-1). Zoned Single-Family Residential (R-4) in Charleston County.
Zoning 5
2988 Bolton Rd (West Ashley)
TMS # 3071000037
0.5 ac.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
Zoning 6
333 and 335 Wappoo Rd (West Ashley)
TMS # 3501000144
0.46 ac.

Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
333 AND 335 Wappoo Rd - Century V Plan