

PRESERVATION  
ESTD SOCIETY 1920  
of CHARLESTON

April 30, 2021

Mr. Robert Summerfield, Director & Mr. Christopher Morgan, Planning Manager  
City of Charleston Department of Planning, Preservation & Sustainability  
2 George Street, 3rd Floor  
Charleston, SC 29401

Via Hand Delivery & Email

**Re: Draft Segments of the Charleston City Plan**

Dear Mr. Summerfield & Mr. Morgan:

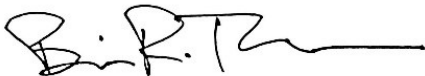
The Preservation Society of Charleston (PSC) appreciates the opportunity to comment on draft segments of Charleston's Comprehensive Plan ("City Plan"). These observations build on our conversation with the Planning Department on April 6.

The City Plan will be a critical, data-driven roadmap to guide the next 10 years of growth in Charleston. The draft recommendations are a strong start, but we also see real room for improvement, particularly on the following three points:

1. The **cultural resources element** should bring into greater focus the role of preservation in safeguarding an altogether unique built environment, as well as being an engine for economic development and social justice. We encourage the City to make a strong declaration that managed and sustainable growth can occur in Charleston without sacrificing the irreplaceable historic and cultural resources which add to the City's vibrancy;
2. We fully appreciate that the City must seek to find a balance between historic preservation goals and the growing need to provide greater housing away from flood-prone areas. To the extent that recommendations in **the housing element** promote zoning reform, we urge the City to ensure policy changes are directed at supporting those most in need, not the developers that need it least. To this end, we encourage a more specific focus on how the City can limit displacement of lower-income and long-time residents.
3. The draft recommendations lack a robust discussion of how land use regulations will be enforced over the next 10 years. We urge the City to commit greater resources to ensure fairness through robust enforcement to ensure that those who play by the rules are not disadvantaged.

We would appreciate an additional opportunity to discuss the recommendations below as the final plan takes shape. Please feel free to contact me at [bturner@preservationsociety.org](mailto:bturner@preservationsociety.org).

Sincerely,



Brian R. Turner  
Director of Advocacy

Attachment: Comments on Draft City Plan Recommendations

# Comments on the City of Charleston's "Draft Segments of the City Plan" Selected Draft Recommendations

Preservation Society of Charleston  
April 30, 2021

## I. Economic Development element

Charleston's historic and cultural resources are of great economic value to City as a sustainable driver of business development, employment, and local commerce. In recognizing the revenue generating potential of historic preservation, the Preservation Society suggests the incorporation of the following points in addition to the currently proposed economic development recommendations:

### Additional Suggested Recommendations

1. Support economic development policy that capitalizes on Charleston's wealth of cultural resources to promote employment, small business development, and sustainable tourism
2. Promote the economic health of Charleston's many, unique boroughs and districts on and off the peninsula by fostering neighborhood character and sense of place through public and private investment in the City's historic buildings, landscapes, and infrastructure.
3. Support independent, locally-owned businesses by exploring an ordinance regulating standardized formula businesses in neighborhood business districts such as Avondale

## II. Cultural resources element

We are encouraged by the initial draft recommendations, especially regarding policies supporting African American heritage and Settlement Community preservation. However, there are still multiple issues that concern cultural resources in Charleston that deserve specific mention in the Plan. In particular, we urge the City to recognize the role of preservation in fostering Charleston's unique sense of place, the contribution of historic resources to our economic and sustainability goals, and the need for protection of significant sites such as cemeteries as the city grows.

### Additional Suggested Recommendations

1. Identify, document, and protect historic cemeteries and burial grounds throughout the city through strengthened planning and development policies.
2. Preserve, restore, and re-use built resources of cultural, architectural or social significance to facilitate growth and progress while maintaining Charleston's unique sense of place.
3. Identify and protect significant sites and historic districts citywide that contribute to Charleston's identity and represent its history.
4. Uphold historic preservation as a form of sustainable development by promoting and creating incentives for rehabilitating and adapting historic buildings for new uses.
5. Promote an authentic, livable community amid changing economic and environmental circumstances by providing enhanced opportunities for the public to better understand and engage with Charleston's cultural history.
6. Update and maintain a cultural resource inventory to evaluate the status of known cultural resources, identify under-documented and/or threatened cultural resources, and prioritize documentation needs and designation recommendations.

7. Emphasize the City's role as a good steward and leader in the preservation and protection of cultural resources, to serve as an example to other historic property owners.
8. Strengthen policies and allocate resources to address demolition by neglect of historic properties.

### III. Housing element

The Preservation Society recognizes the critical need to provide housing for residents of all income levels to ensure a sustainable future for Charleston. Good preservation practice demands more than merely safeguarding historic buildings. A City risks losing its vibrancy and character when its long-time citizens are priced-out and displaced. Providing housing for lower and middle-income residents should work hand in hand with preservation goals. More housing in dense urban environments also helps preserve Charleston's rural landscapes. Residential development near transit and closer to workplaces reduces the need to widen roads and develop our wetland buffers.

Charleston is a sought-after place to live precisely because it has preserved its remarkable history; it must now embrace strategies to ensure that more housing - in both new and existing buildings - will be responsibly and thoughtfully integrated into our community in a manner consistent with historic precedent.

#### Observations on Selected City Proposed Recommendations

1. *Strongly encourage a diversity of housing types within neighborhoods citywide, including attached-style housing, such as townhomes, condominiums, flats, duplexes, triplexes and fourplexes and allow by right in more base zoning districts.*

Charleston is well-known as one of the first communities in the country to use zoning as a tool to safeguard its incomparable collection of historic buildings. In the PSC's 101 years of advocating for Charleston, we have embraced many policies embedded in the City's code and its amendments in the spirit of identifying a core set of community values and lending predictability in land use decision-making.

We also recognize that portions of our zoning code can be rightfully critiqued and are not in sync with resident needs, market demands, and in certain cases the exiting built environment. We have long advocated for zoning reform and offered to support City Hall in addressing this. The prioritization of single-family uses in Charleston's zoning code has resulted in the loss of housing for lower-income residents and communities of color who have been driven to the peripheries of our City.

Good zoning reform can ensure better inclusivity without sacrificing Charleston's unique character. Accordingly, we are open to reforms in zoning to reduce exclusivity and increase diversity of housing. In the final plan it would be helpful to better understand which neighborhoods would be the City's first priority.

2. *Strongly encourage development of housing in compatible mixed-use and mixed-income (market rate and subsidized units mixed together within the same development) neighborhoods and in close proximity to parks, bicycle and pedestrian facilities, public transit, schools, grocery stores, job centers and civic uses. Incentivize transit-oriented development and affordable housing development along the future Low Country Rapid Transit route.*

This is a laudable goal, yet more clarity is needed as to what constitutes "compatible mixed-use and mixed-income neighborhoods." Rather than using such specific terminology in this recommendation, we feel it would be more helpful to identify the City's intention to address underlying problems preventing density in transit-oriented neighborhoods with access to public amenities. To simplify this, the City could refer to a commitment to reduce exclusivity in targeted neighborhoods by increasing the diversity of housing.

3. *Update the zoning ordinance to apply conservation design principles to all new and infill housing developments (making best use of high ground and preserve more open space and undisturbed ecosystems by allowing for smaller lots and flexible site design).*

We strongly support efforts to implement conservation-based zoning reform. Land use maps should be clarified to show how these principles will affect development on the ground.

4. *Allow more flexibility for building design and architectural standards where appropriate*

We are interested in further analysis in this concept. Charleston is a pioneer in its use of consistent standards for design and preservation of building exteriors and these regulations have been a factor contributing to its uniqueness. Further clarification of criteria for determining “appropriateness” is necessary. In our view, efforts should be focused on preventing displacement of long-term residents, rather than benefitting those who can afford to but are unwilling to abide by rules and regulations affecting the aesthetic character of Charleston. **We would greatly appreciate and welcome the opportunity to meet with City Staff for a targeted conversation specific to this point of the plan.**

5. *Expand partnership with the Charleston Redevelopment Corporation to establish a land bank for future affordable housing development*
6. *Implement policies that reduce regulatory barriers that add time and cost to affordable housing developments, including: expedited review and permitting, reduced fees, affordable material standards, and a full-time staff member developed to shepherding projects through the development process.*

This recommendation has substantial overlap with #4 and we encourage the City to consider combining the two, particularly to clarify that the intent is to increase the City’s affordable housing stock. It is critical to ensure this recommendation is strategically implemented to support at-risk and underrepresented populations in our community, rather than provide an easier path for developers to secure valuable entitlements for large-scale projects, especially in MU/WH Districts.

As stated in our response to #4, we support the overriding objective of preventing displacement and are ready and willing to work with the City on these efforts. For new developments, these types of benefits are best directed towards projects that have perpetual provisions for affordability, such as those sponsored by the Housing Authority.

7. *Expand development incentives for affordable housing developments in more base zoning districts, including unit density bonuses, reduced setbacks and lot sizes, and reduced or eliminated parking minimums when located in proximity to public transit. Incorporate a tiered incentive structure for affordable housing projects based on type and level of affordability provided and geographic location, prioritizing city-funded projects.*

Charleston’s Mixed-Use Workforce Housing Ordinance is a voluntary inclusionary zoning program and has been the City’s most impactful tool for addressing the housing affordability gap by providing substantial density bonuses in exchange for dedicated workforce housing for 25 years. The intent of the program is not being achieved and must be reformed to ensure that density bonuses are not unfairly benefiting developers without addressing the underlying policy goals of the Ordinance.

Current efforts underway to raise the fee-in-lieu price do not go far enough to ensure the success of this particular density bonus. The City should add incentives to developments that elect not to pay a fee-in-lieu. It should also provide incentives for developers to go beyond the 25-year requirement and make affordable units for longer durations. **We urge the City to ensure that community benefits are equally weighed**

**with the developers' benefits in the context of this provision.**

The City should also consider reducing minimum parking standards for developments that take a creative approach to providing transportation for its residents such as car-share, transit stop facilities, and bicycle rental/storage. We also support reducing parking requirements in targeted areas such as commercial districts.

Additionally, the City should consider

- relaxing dimensional and building area standards to allow infill that is respectful of historic character;
- elimination of minimum unit size for one and two-unit dwellings;
- reduction of minimum lot size on corners in existing neighborhoods;
- supporting policies that allow for more “missing middle” housing: houses with more than one unit built to reflect the scale and mass of a typical single-family house. These units would be still be expected to conform to height and orientation standards, height, width, or floor area maximums to ensure compatible scale and architectural design standards;
- promoting the use of ADUs in single-family zones while limiting the expansion of short-term rentals and accommodations uses

*8. Create more funding streams for affordable housing development through zoning and other planning tools.*

*9. Continue to leverage funding opportunities for affordable housing at the state and federal level and advocate for legislation that can be used to fund or incentivize affordable housing.*

The City should take a lead role in supporting reforms at the state level, such as legislation to overturn the prohibition on inclusionary zoning and provide financial incentives for greater density near transit. Additionally, it can lend support for projects that take advantage of tax incentives. Some of the most successful affordable housing projects have utilized a combination of federal and state historic rehabilitation tax credits with New Markets Tax Credits and the Low-Income Housing Tax Credit.

*10. Adopt policies to increase housing security for existing residents in areas at risk of displacement; including policies tailored to preserving historic African American settlement communities.*

We uphold traditional historic resource designations as an incentive-based planning tool. Listing on the National Register of Historic Places enables homeowners to access federal tax credits, particularly as Congress considers amendments that could make it more accessible for owners of smaller properties. Specifically, we recommend pursuing National Register designation for the Eastside and Westside Neighborhoods combined with specific incentives to expand tax benefits to property owners currently subject to BAR jurisdiction and limit displacement. We also support new inventory concepts such as conservation or cultural heritage districts.

Further, to the extent this City recommendation suggests limiting the purview of the BAR, we support the concept of economic hardship waivers so long as the City can prevent abuse of the process and ensure that the scope of any changes to historic resources is reversible.

*11. Allocate dedicated resources and staff to assist lower-income homeowners in maintaining their historic homes*

We strongly favor this recommendation and seek to be a partner in this effort. It bears mentioning in the City Plan that the Housing and Mobility Subcommittee of the City's Special Commission on Equity, Inclusion, and Racial Conciliation will soon be providing recommendations on to support owners of heirs property in efforts to clear title, which has been a barrier to repairing many dilapidated buildings. The City should assist in the process of working towards solutions for these challenged properties and consider tailoring staff resources to this end.

12. *Develop strategies for preserving naturally occurring affordable housing (NOAH) units throughout the city.*
13. *Continue to fully implement recommendations from Housing for a Fairer Charleston Report*

#### **Additional Suggested Recommendations**

##### **1. Increase housing stock in existing buildings through reuse and rehabilitation**

Rehabilitation is typically less expensive than new construction and a faster way to deliver housing units to market. We support conversion of existing units to residential as well as rehabilitation projects and enabling the creation of more units from existing stock. Suggestions to achieve this goal include:

- Promoting the use of FHA’s multifamily mortgage insurance programs, Section 220 and Section 221(d)(4);
- Enacting an Adaptive Reuse Ordinance that specifically analyzes a process for adapting underutilized spaces for residential use, where appropriate;
- Utilizing tax policy to incentivize conversions and rehabilitation work by considering innovative policies, such as
  - freezing city property taxes at assessed value before rehabilitation for up to 10 years
  - offering a deferred, forgivable loan for qualified homeowners to rehabilitate substandard and non-code compliant single-family homes

##### **2. Preserve and defend existing housing stock through strengthened enforcement of the Short-Term Rental Ordinance**

Preserving existing housing requires a strong defense of the STR ordinance. The City Plan must better recognize that staffing and enforcement is a critical component to ensure the preservation of housing in light of constant economic pressure to expand accommodations uses.

## **IV. Land Use element**

The Preservation Society is incredibly supportive of the drafted recommendations to pursue land use policies to respect and preserve our unique environment, including elevation-based zoning. However, we feel there are important aspects of responsible planning, including growth management, compatible new development, and protection of the Urban Growth Boundary, that should be acknowledged in this element.

#### **Additional Suggested Recommendations**

1. Protect the Urban Growth Boundary (UGB) and coordinate with neighboring Charleston and Berkeley Counties to preserve rural areas adjacent to the UGB.
2. Implement land use and transportation policies to create compact, mixed-use projects, designed to maximize affordable housing and encourage walking, bicycling, and use of existing and future transit systems.
3. Implement land use regulations that promote infill development that is compatible with the scale and character of the existing, surrounding context.
4. Commit greater resources to ensure fairness in the land use permitting process through robust enforcement to ensure that those who play by the rules are not disadvantaged.

## **V. Resiliency element**

In Charleston, no single issue is testing our resilience more than flooding and rising sea levels. In advocating for a comprehensive, data-driven approach to flooding that takes into account each neighborhood’s unique challenges, the Preservation Society proposes

the following recommendations for incorporation into the Resilience element, which we encourage the City to develop into a standalone element rather than incorporate throughout the document, as proposed. In the alternative, should the City continue along the path of incorporating the resiliency element into other elements, we request that these recommendations be addressed elsewhere in the Plan. Our comments below focus on other specific recommendations for water management in line with the recommendations of the Dutch Dialogue report.

### **Additional Suggested Recommendations**

1. Create a culture of citizen awareness, responsibility, and action towards water management. Specific incentives can engage residents in risk management strategies including the use of rain barrels, flow through planters, cisterns, pervious paving, and bioswales.
2. Develop a comprehensive strategy to identify, prioritize, fund, and address flood mitigation infrastructure needs citywide.
3. Prioritize low impact development and green infrastructure principles to limit the adverse effects of new development and promote the natural flow of water.
4. Ensure a holistic approach to potential peninsula perimeter protection solutions to address a broad range of flooding threats beyond storm surge risk.
5. Promote the use of dual infrastructure to use flood and stormwater infrastructure to increase public and recreational amenities.
6. Create new revenue streams to improve flooding infrastructure by raising parking fees for out-of-town visitors, while providing for reduced fees for those with proof of residency.
7. Employ resilient urban design in the redevelopment of **Union Pier, Laurel Island and Magnolia** developments
8. On **Johns Island**: reduce the use of non-native soils for elevation and drainage to improve the functionality of watersheds. Closer attention must be paid to the types of fill permitted to ensure absorption potential is high.
9. At **Church Creek/West Ashley Park**: require new developments to harness and store high ground water and direct it away from the artificial elements of Church Creek (north of the railroad). We also recommend converting the phosphate mines area into a cultural park.
10. On the **Peninsula**: commit to developing a comprehensive water management plan to direct investments in green and gray infrastructure including drainage, pumps, perimeter protection, flood plain and creek restoration, bioswales, complete streets, stormwater infiltration and detention in public spaces. Encourage greater use of permeable pavers, street trees, bioretention, and storage of water under streets.
11. On the **Eastside**: direct new and affordable housing away to higher ground (above 8 feet) utilizing improved soil maps and groundwater level information.
12. In the **Lockwood Corridor**: study road raising, particularly as a strategy for providing perimeter protection from storm surge as part of the Army Corps review process.