

Zoning Map Amendment Request ZPD-7-15-21586

Packet Materials:

- [Staff Report](#)
- [Staff Presentation](#)
- [Proposed Buckland Plantation PD Guidelines*](#)
- [Zoning Map Amendment Application](#)

*Note: the following exhibits are not included in this packet: wetland letter supporting documentation; recorded plat 1; recorded plat 2; tree survey; and sketch plan/utility plan. To view these materials, please contact Planning staff.



Daniel C. Pennick, AICP
Zoning/Planning Director

ZONING/PLANNING
DEPARTMENT

843.202.7200
Fax: 843.202.7218
Lonnie Hamilton, III
Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405-7464

CHARLESTON COUNTY PLANNING COMMISSION

August 10, 2015

Case Summary: ZPD-7-15-21586

**Request to rezone from the Agricultural Preservation (AG-8) Zoning District to the
Planned Development Zoning District (PD-152 Buckland Plantation)**

Council District: 8

Overview:

The requested Buckland Plantation Planned Development Zoning District (PD-152) is located at 3844 and 3788 Chisolm Road (TMS 249-00-00-013 and -005). The property currently contains a vacant single family residence and shed. The total acreage is 118.55 acres.

The applicant is requesting to rezone from the Agricultural Preservation (AG-8) Zoning District to the Planned Development Zoning District (PD-152) to allow for a maximum of 28 residential lots or a maximum of one dwelling unit per four acres, whichever is more restrictive. Specifically, PD-152 requests the following:

- Allowed uses are limited to single family homes, private stables, community recreation, active recreation, community docks, joint use docks, private docks, RV and boat storage area (for residents only), boat ramp, and resource extraction (for on-site lake only);
- Accessory dwelling units are prohibited;
- Home occupations are prohibited;
- Equestrian-related special events are allowed in the large open space area and must comply with Article 6.7;
- A minimum of 48 acres of common open space (approximately 40 percent of the total site) that will be owned and maintained by a homeowners' association; and
- Dimensional standards and waterfront development standards of the AG-8 Zoning District.

History:

In June 2007, a request to rezone the subject properties from the Agricultural Preservation (AG-8) Zoning District to the Agricultural/Residential (AGR) Zoning District was made and withdrawn during the Planning Commission meeting.

In September 2008, a request to rezone from AG-8 to a Planned Development Zoning

District (PD-137) was made to allow for the creation of 73 single family residential lots. This request was withdrawn prior to the Planning Commission meeting.

In January 2009, a Comprehensive Plan Amendment request was made to change the future land use recommendation for the subject properties from Rural Agricultural (with a density range of one dwelling unit per four acres to one dwelling unit per eight acres) to Agricultural Residential (with a density range of one dwelling unit per acre to one dwelling unit per five acres). This request was recommended for disapproval by the Planning Commission and tabled by County Council until such time that a Planned Development request was made.

In March 2009, a request to rezone from AG-8 to a Planned Development (PD-140) was made to allow 73 single family residential lots. The request was recommended for disapproval by Planning Commission and ultimately disapproved by County Council.

Adjacent Zoning:

Adjacent properties are zoned Agricultural Residential (AGR) and are mostly residential or undeveloped.

Staff Recommendation:

According to Section §4.23.9 E (9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plan approval may be approved only if County Council determines that the following criteria are met:

a. The PD Development Plan complies with the standards contained in this Article;

Staff response: The proposed Planned Development Zoning District complies with the requirements of the ZLDR. Additionally, the dimensional standards and waterfront development standards are consistent with the Agricultural Preservation (AG-8) Zoning District and the proposed PD exceeds the open space requirements of ZLDR Art. 4.23.6 and 4.23.7. The buffer requirements comply with Section 9.5.4 of the *Zoning and Land Development Regulations Ordinance (ZLDR)* for Chisolm Road (50' S4 Right-of-Way Buffer).

b. The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents;

Staff response: The *Comprehensive Plan* recommends the subject parcel for Rural Agricultural use, the intent of which is to accommodate “low levels of population growth. Densities range from one dwelling per four acres to one dwelling per eight acres” (Comprehensive Plan, Sec. 3.1.7.A). Furthermore, the PD is consistent with the Future Land Use Residential Densities for the Rural Agriculture designation (Comprehensive Plan, Table 3.1.1). The proposed PD implements Rural Guideline 3 of the Land Use Element by developing gross densities at the higher range of the recommended future land use through the use of conservation design (Comprehensive Plan, Section 3.1.8.A).

- c. **The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;**

Staff response: The applicant has included in the proposed PD document letters from service providers stating they will be able to adequately serve the proposed development.

Staff recommends approval with the following conditions:

1. Land Use Master Plan: Remove the amount of acreage associated with Common Open Space #6.
2. Sec. 3.02, Table of Proposed Land Uses, Footnote 2: Clarify that Community Docks will also comply with Site Plan Review.
3. Sec. 3.02, Table of Proposed Land Uses, Footnote 5: Clarify that the Vehicle Storage Area will have to comply with Site Plan Review and buffer requirements of Section 3.07.
4. Sec. 3.02, Table of Proposed Land Uses, Footnote 6: Delete “site plan submittal” from the sentence so it states that resource extraction uses will comply with ZLDR Sec. 6.4.14, SCDOT, SCDHEC, and County regulations.
5. Sec. 3.04, Dimensional Standards: Add a footnote for Waterfront Development Standards Minimum Lot Width Average that states compliance with ZLDR Section 4.22.1 and attach the section with other ZLDR sections.
6. Sec. 3.07, Buffer: Add the following sentence, “The Vehicle Storage Area shall have a minimum buffer of 25’ and be comprised of at least three canopy trees, four understory trees, and 25 shrubs in compliance with Article 9.5 of the ZLDR.”
7. Sec. 3.08, Lots to Abut Common Open Space: Change the second sentence to read “The interior lots directly abut the common open space with their rear lot lines, and the remaining lots are oriented to the waterfront.”

Notifications:

A total of 220 notification letters were mailed to owners of property within 300 feet of the boundaries of the proposed Buckland Plantation Planned Development and to the Johns Island Interested Parties List on July 24, 2015.

A map of Charleston County, South Carolina, with various areas highlighted in different colors to indicate rezoning requests. The colors include light blue, light green, light purple, and light orange. The map shows the county's irregular shape, including the Charleston peninsula and surrounding areas.

Charleston County Rezoning Requests

Public Hearing – September 15, 2015
Planning & Public Works Committee –
September 24, 2015

Rezoning Case ZPD-7-15-21586

- Johns Island Area: 3844 and 3788 Chisolm Road
- Parcel I.D.: 249-00-00-013 and -005
- Request to rezone from the Agricultural Preservation (AG-8) Zoning District to the Planned Development Zoning District (PD-152 Buckland Plantation) to allow for the creation of a maximum of 28 residential lots amidst common open space and existing natural resources.
- Owner: Canal Land & Timber LLC
2430 North Main Street, Conway, SC 29528
- Representative: Venture Engineering, Inc.
209 Highway 544, Conway, SC 29526
- Acreage: 118.55 acres
- Council District: 8



ZPD-7-15-21586 History

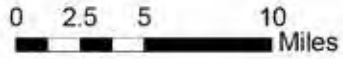
- In June 2007, a request to rezone from Agricultural Preservation (AG-8) to Agricultural/Residential (AGR) was made and withdrawn during the Planning Commission meeting.
- In September 2008, a request to rezone from Agricultural Preservation (AG-8) to a Planned Development (PD-137) was made to allow for the creation of 73 single family residential lots. This request was withdrawn prior to the Planning Commission meeting.

ZPD-7-15-21586 History

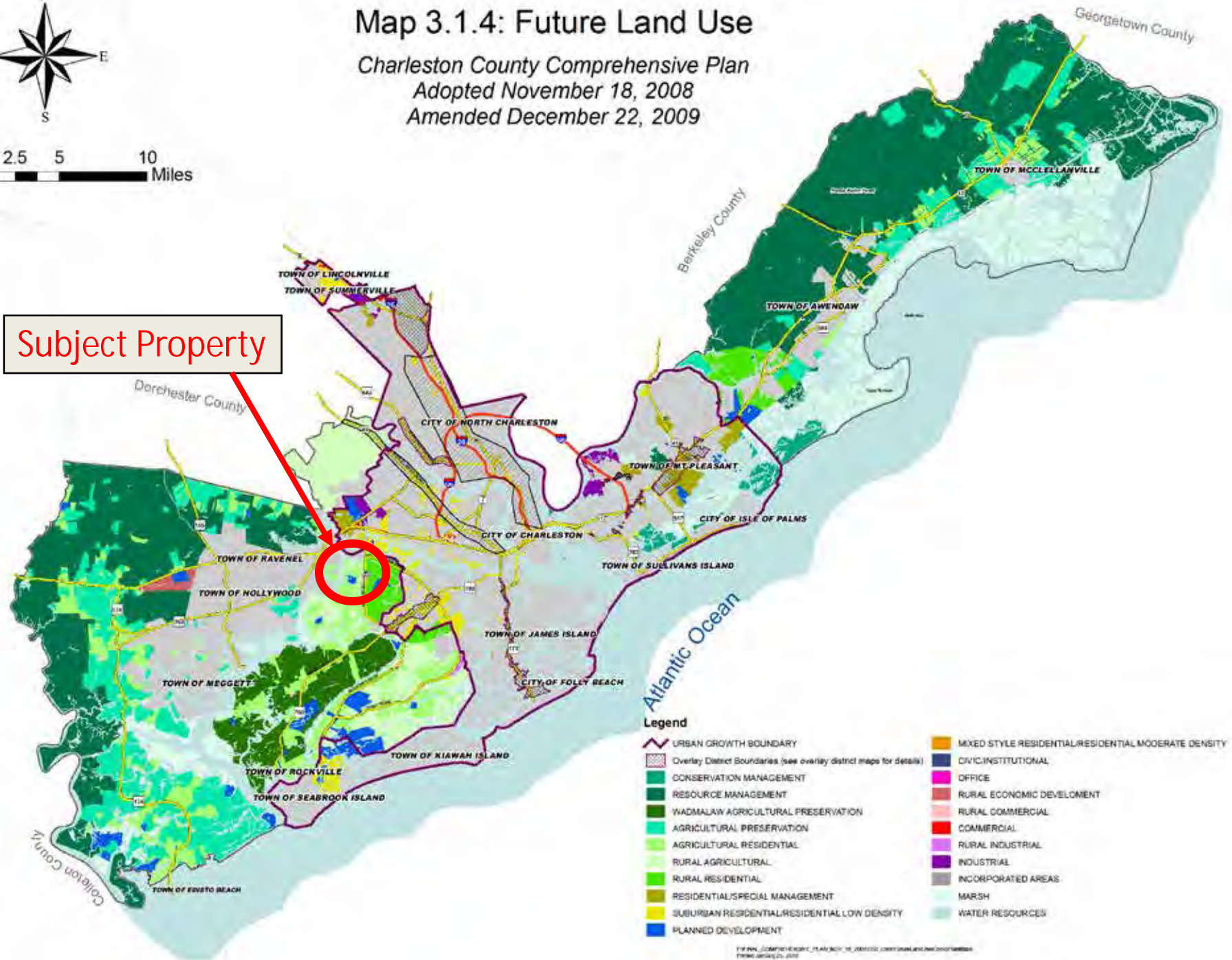
- In January 2009, a Comprehensive Plan Amendment request was made to change the future land use recommendation for the subject properties from Rural Agricultural (with a density range of 1 dwelling unit per 4 acres to 1 dwelling unit per 8 acres) to Agricultural Residential (with a density range of 1 dwelling unit per acre to 1 dwelling unit per 5 acres). This request was recommended for disapproval by the Planning Commission and tabled by County Council until such time that a Planned Development request was made.
- In March 2009, a request to rezone from Agricultural Preservation (AG-8) to Planned Development (PD-140) was made to allow 73 single family residential lots. The request was recommended for disapproval by Planning Commission and ultimately disapproved by County Council.

Map 3.1.4: Future Land Use

Charleston County Comprehensive Plan
 Adopted November 18, 2008
 Amended December 22, 2009



Subject Property

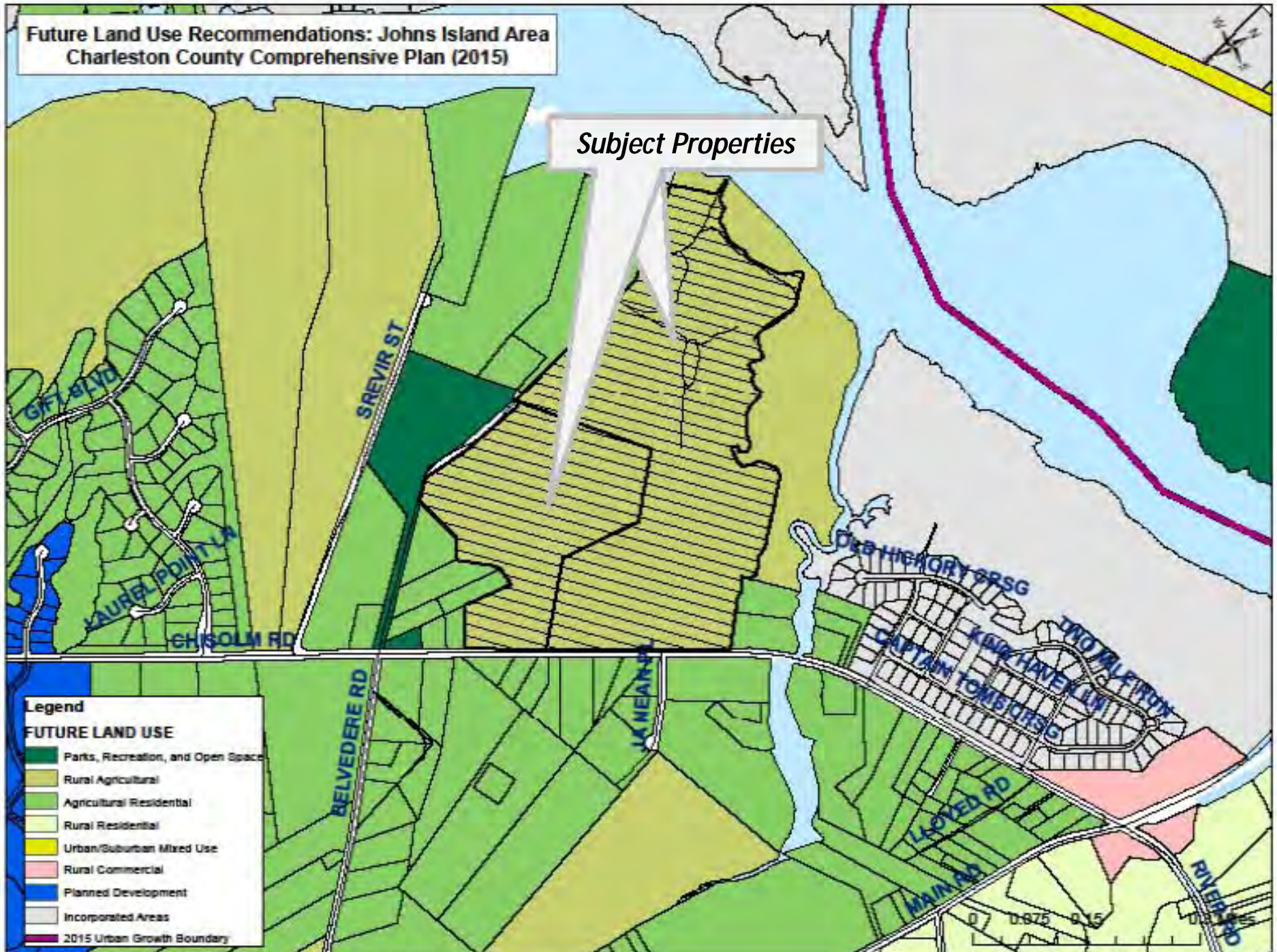


Legend

- URBAN GROWTH BOUNDARY
- Overlay District Boundaries (see overlay district maps for details)
- CONSERVATION MANAGEMENT
- RESOURCE MANAGEMENT
- WADMALAW AGRICULTURAL PRESERVATION
- AGRICULTURAL PRESERVATION
- AGRICULTURAL RESIDENTIAL
- RURAL AGRICULTURAL
- RURAL RESIDENTIAL
- RESIDENTIAL/SPECIAL MANAGEMENT
- SUBURBAN RESIDENTIAL/RESIDENTIAL LOW DENSITY
- PLANNED DEVELOPMENT
- MIXED STYLE RESIDENTIAL/RESIDENTIAL MODERATE DENSITY
- CIVIC/INSTITUTIONAL
- OFFICE
- RURAL ECONOMIC DEVELOPMENT
- RURAL COMMERCIAL
- COMMERCIAL
- RURAL INDUSTRIAL
- INDUSTRIAL
- INCORPORATED AREAS
- MARSH
- WATER RESOURCES

Future Land Use Recommendations: Johns Island Area
Charleston County Comprehensive Plan (2015)

Subject Properties

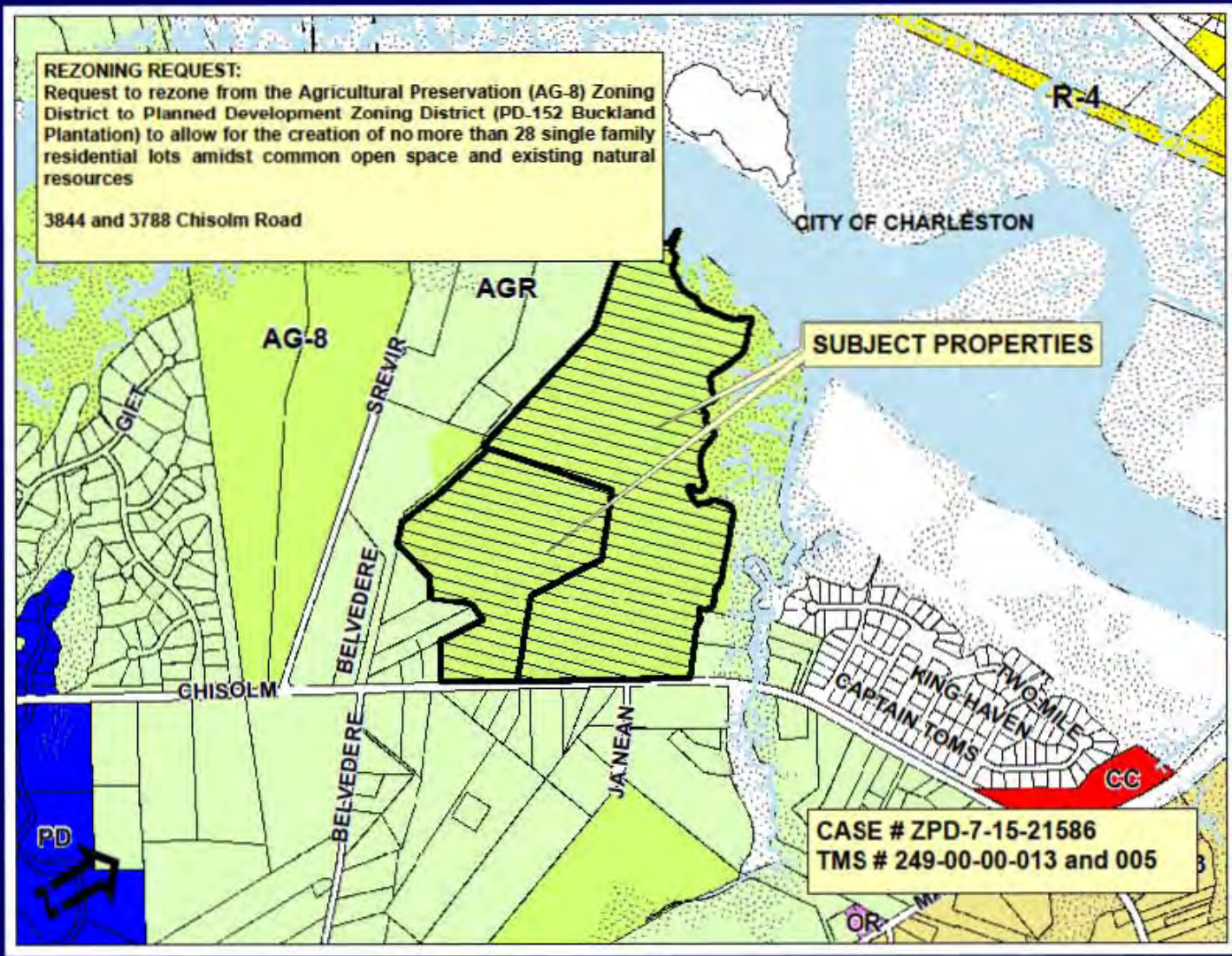


Legend

FUTURE LAND USE

- Parks, Recreation, and Open Space
- Rural Agricultural
- Agricultural Residential
- Rural Residential
- Urban/Suburban Mixed Use
- Rural Commercial
- Planned Development
- Incorporated Areas
- 2015 Urban Growth Boundary

ZPD-7-15-21586 Area Description



The subject properties are zoned Agricultural Preservation (AG-8) and contain a vacant single family residence and shed. Adjacent properties are zoned Agricultural Residential (AGR) and are mostly residential or undeveloped.

Subject Parcel to the North



Subject Parcel to the East



ZPD-7-15-21586



1 – Subject Parcel

2 –Subject Parcel



ZPD-7-15-21586



3 – Adjacent Parcel

4 – Adjacent Parcel/Roadway



ZPD-7-15-21586 Requested PD Guidelines

- A maximum of 28 single family detached dwelling units or a maximum of 1 dwelling unit per 4 acres, whichever is more restrictive;
- Allowed uses are limited to single family homes, private stables, community recreation, active recreation, docks, RV and boat storage area (for residents only), boat ramp, and resource extraction (only for on-site lake);
- Accessory dwelling units and home occupations are prohibited;
- Equestrian-related special events are allowed in the large open space area and must comply with Article 6.7;
- A minimum of 48 acres of common open space (approximately 40% of the total site) that will be owned and maintained by an HOA; and
- Dimensional standards and waterfront development standards of the AG-8 Zoning District.

B Land Use Master Plan



Planned Development Approval Criteria

According to Section §4.23.9 E (9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plan approval may be approved only if County Council determines that the following criteria are met:

- a. **The PD Development Plan complies with the standards contained in this Article;**

Staff response:

- *The proposed Planned Development Zoning District complies with the requirements of the ZLDR;*
- *The dimensional standards and waterfront development standards are consistent with the Agricultural Preservation (AG-8) Zoning District and the proposed PD exceeds the open space requirements of ZLDR Art. 4.23.6 and 4.23.7; and*
- *The buffer requirements comply with ZLDR Section 9.5.4 for Chisolm Road (50' S4 Right-of-Way Buffer).*

Planned Development Approval Criteria

According to Section §4.23.9 E (9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plan approval may be approved only if County Council determines that the following criteria are met:

- b. **The development is consistent with the intent of the *Comprehensive Plan* and other adopted policy documents;**

Staff response:

- *The Comprehensive Plan recommends the subject parcel for Rural Agricultural use, the intent of which is to accommodate “low levels of population growth. Densities range from one dwelling per four acres to one dwelling per eight acres” (Comprehensive Plan, Sec. 3.1.7.A). Furthermore, the PD is consistent with the Future Land Use Residential Densities for the Rural Agriculture designation (Comprehensive Plan, Table 3.1.1).*
- *The proposed PD implements Rural Guideline 3 of the Land Use Element by developing gross densities at the higher range of the recommended future land use through the use of conservation design (Comprehensive Plan, Section 3.1.8.A).*

Planned Development Approval Criteria

According to Section §4.23.9 E (9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*, applications for PD Development Plan approval may be approved only if County Council determines that the following criteria are met:

- c. The County and other agencies will be able to provide necessary public services, facilities, and programs to serve the development proposed, at the time the property is developed;

Staff response:

- *The proposed PD includes letters from service providers stating they will be able to adequately serve the proposed development.*

ZPD-7-15-21586 Recommendation

- The request is consistent with the *Comprehensive Plan* and the PD Approval Criteria, as contained in Section §4.23.9 E (9) of the *Zoning and Land Development Regulations Ordinance (ZLDR)*.

**STAFF RECOMMENDATION:
Approval with Conditions**



ZPD-7-15-21586 Recommendation Conditions of Approval

1. Land Use Master Plan: Remove the amount of acreage associated with Common Open Space #6.
2. Sec. 3.02, Table of Proposed Land Uses, Footnote 2: Clarify that Community Docks will also comply with Site Plan Review.
3. Sec. 3.02, Table of Proposed Land Uses, Footnote 5: Clarify that the Vehicle Storage Area will have to comply with Site Plan Review and buffer requirements of Section 3.07.
4. Sec. 3.02, Table of Proposed Land Uses, Footnote 6: Delete “site plan submittal” from the sentence so it states that resource extraction uses will comply with ZLDR Sec. 6.4.14, SCDOT, SCDHEC, and County regulations.

ZPD-7-15-21586 Recommendation Conditions of Approval (cont'd)

5. Sec. 3.04, Dimensional Standards: Add a footnote for Waterfront Development Standards Minimum Lot Width Average that states compliance with ZLDR Section 4.22.1 and attach the section with other ZLDR sections.
6. Sec. 3.07, Buffer: Add the following sentence, “The Vehicle Storage Area shall have a minimum buffer of 25’ and be comprised of at least three canopy trees, four understory trees, and 25 shrubs in compliance with Article 9.5 of the ZLDR.”
7. Sec. 3.08, Lots to Abut Common Open Space: Change the second sentence to read “The interior lots directly abut the common open space with their rear lot lines, and the remaining lots are oriented to the waterfront.”

Note: If approved, the project must meet all requirements of the ZLDR. It also must meet the requirements of all other applicable agencies.

ZPD-7-15-21586 Notifications

- On July 24, 2015, 220 notifications were sent to owners of property within 300 feet of the boundaries of the subject property and on the Johns Island Interested Parties List. The request was also noticed in the *Post & Courier*.



Charleston County Rezoning Requests

Public Hearing – September 15, 2015
Planning & Public Works Committee –
September 24, 2015