



# Town of Sullivan's Island

## PLANNING COMMISSION

### STAFF REPORT

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**To:** Planning Commission

**From:** Planning and Zoning Department Staff

**Meeting Date:** April 14, 2021

**Topic:** Driveways, Zoning Ordinance Section §21-15

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**REQUESTED ACTION:**

Hold a public hearing for text amendments to Section §21-15 to increase the number of driveways allowed on residentially zoned properties (RS-District).

**ENCLOSURES:**

- Current Zoning Ordinance regulations: Section §21-15. Driveways
- Draft text amendments of Section §21-15. Driveways

**BACKGROUND**

It was recommended during the March 10<sup>th</sup> Commission meeting that staff schedule a public hearing for the draft language allowing a second driveway with the following conditions:

- Second driveway must be located on a second frontage and meet the same criteria for development (e.g., 20' wide at edge of pavement, 12' wide at property line, 10' curved radius taper)
- Plans must receive approval from the South Carolina Department of Transportation (SCDOT) prior to requesting a Building Permit with the Town of SI Building Department.

**STAFF RECOMMENDATION:**

Consider the draft text amendments for Sec. 21-15. and move to recommend/or not recommend approval to Town Council.

**Public Hearing Draft Text Amendments:**

Sec. 21-15. Driveways.

A. All improved ingress/egress access to all lots shall meet the following requirements. Improved Access shall mean all driveways except natural grass or lawn areas.

(1) Number, width and location.

(a) Driveway access shall be limited to ~~one-two~~ ~~(1)~~(2) per lot in RS District provided, ~~however, such any second driveway is located on a separate road frontage.~~

~~(b)~~(b) ~~Non-residential uses~~ such as schools, churches, daycare facilities, cemeteries, government ~~uses~~ and commercial uses ~~the like~~ may have no more than two (2) per lot.

~~(b)~~(c) Width shall be limited to twelve feet (12.0') at the street-front lot line in the RS District. Distance between the curved radius taper measured at the edge of street pavement shall not exceed twenty feet (20.0') at the widest point. Radius taper at edge of street pavement may not exceed a ten foot (10.0') curved radius taper. (08-15-06)

~~(e)~~(d) Driveways shall be placed on the street frontage in which no parking is allowed as a first alternative, and shall not displace public parking spaces if at all possible. If the displacement of public parking spaces is unavoidable, the driveway shall be sited to minimize displacement to the fullest extent possible.

(2) Plans required.

(a) Driveway plans shall be required for review and approval prior to driveway construction.

(b) Proposed driveway location will be shown on construction plans. Alteration of driveway location as shown on approved plans shall be re-approved prior to construction. A Building Permit shall not be issued until it is confirmed that the proposed driveway meets the above driveway standards.

(c) A SCDOT encroachment permit is required prior to requesting a Sullivan's Island Building Permit for construction of a driveway.

**B. Location of uses.**

- (1) Every building or use shall be located on an approved lot of record approved by the Town of Sullivan's Island and shall not infringe beyond the building lines into the respective Front, Side, Rear Yards or other Setbacks required for the district in which the lot is located. (3/20/12)
- (2) No structure or part of a structure shall be erected or allowed to remain within applicable minimum yard Setbacks unless specifically provided hereafter. A structure or part of a structure shall include buildings, overhanging eaves, covered structures such as steps, porches, patios, carports, and any other extension of a building beyond its foundation line.

**C. Calculating lot area.**

- (1) For the purposes of calculating Lot Area, only that portion of the lot lying outside the area designated as marsh or that portion above the ocean's high water mark shall be included in the Lot Area.
- (2) Lots adjacent to RC-1.  
The Lot Area utilized to determine said minimum size shall include only land area located above and landward of the landward RC-1 Area District boundary line.
- (3) Lots adjacent to RC-2.  
The Lot Area utilized to determine said minimum size shall include only land area located above and landward of the SC DHEC-OCRM "Critical Area Line" as determined in the field by OCRM staff.
- (4) Right-of-way easements for streets or roads shall not be considered a part of the Lot Area.

**D. Measuring buildable area.**

- (1) The required front, side, and rear yards for individual lots shall be measured inward toward the center of said lot from all points along the respective front, side, and rear property lines of the lot.
- (2) Once the yard areas of a given lot have been established, the remaining area of the lot that is not included in any required front, side, or rear lot shall be known as the "Buildable Area" unless otherwise defined.

**Sec. 21-13. Increase or decrease in natural elevation prohibited.**

- (1) Any importation of materials of any type or re-contouring of a lot's existing contours that increased a lot's existing ground elevation more than one (1) foot above existing grade and results or may result in elevating an existing or proposed structure is strictly prohibited.
- (2) Any decrease in a lot's existing ground elevation is strictly prohibited.

**Sec. 21-14. Street frontage and visibility.**

**A. Frontage on a street.**

All lots shall have frontage on a publicly dedicated, publicly accepted or publicly maintained street. Alleys are not considered as providing frontage.

**B. Street intersection visibility.**

No fence, wall, sign, vegetation or other structure or object capable of obstructing driver vision shall be permitted between the heights of three (3) feet and ten (10) feet above the finished street level on a corner lot within fifteen (15) feet of the point formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which abut said lot.

**C. Private drive visibility.**

No fence, wall, sign, vegetation, or other structure shall create an impediment to visibility at the intersection of any private drive or entrance or exit with a public street.

**Sec. 21-15. Driveways.**

**A.** All improved ingress/egress access to all lots shall meet the following requirements. Improved Access shall mean all driveways except natural grass or lawn areas.

- (1) Number, width and location.

- (a) Driveway access shall be limited to **one (1) per lot in RS District** provided, however, such non-residential uses such as schools, churches, daycare facilities, cemeteries, government uses and the like may have no more than two (2) per lot.
  - (b) Width shall be limited to twelve feet (12.0') at the street-front lot line in the RS District. Distance between the curved radius taper measured at the edge of street pavement shall not exceed twenty feet (20.0') at the widest point. Radius taper at edge of street pavement may not exceed a ten foot (10.0') curved radius taper. (08-15-06)
  - (c) Driveways shall be placed on the street frontage in which no parking is allowed as a first alternative, and shall not displace public parking spaces if at all possible. If the displacement of public parking spaces is unavoidable, the driveway shall be sited to minimize displacement to the fullest extent possible.
- (2) Plans required.
- (a) Driveway plans shall be required for review and approval prior to driveway construction.
  - (b) Proposed driveway location will be shown on construction plans. Alteration of driveway location as shown on approved plans shall be re-approved prior to construction. A Building Permit shall not be issued until it is confirmed that the proposed driveway meets the above driveway standards.
  - (c) A SCDOT encroachment permit is required prior to construction of a driveway.

**Sec. 21-16. Water and air pollution.**

All uses shall comply with the requirements of the Charleston County Health Department, regarding the protection of waterways from pollution by waste materials and the protection of the atmosphere from pollution by dust, smoke, or other waste materials.

**Sec. 21-17. Stormwater Management**

**A.** No lot shall be built upon, graded or filled without the Building Official's or Zoning Administrator's prior approval of a stormwater management plan. The stormwater management plan and construction specifications must be stamped and signed by a professional engineer or landscape architect actively licensed in the state of South Carolina. All stormwater plans must include a scaled site plan and survey illustrating all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, with a site narrative describing the means and methods of preventing adverse impacts to adjacent and/or downstream properties. The following site changes shall require the submittal of a stormwater management plan:

- (1) Any new building construction, new impervious surface, or replacement of impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area; (All development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan)
- (2) Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in accordance with Section 21-13.

**B.** Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Building Official and/or Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.

**Sec. 21-18. Reserved.**