



# Town of Sullivan's Island

## PLANNING COMMISSION

### STAFF REPORT

**To:** Planning Commission

**From:** Planning and Zoning Department Staff

**Meeting Date:** June 9, 2021

**Topic:** PUBLIC HEARING for Creation of a new Public Facilities Zoning District

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#### REQUESTED ACTION:

Town Council's *Land Use and Natural Resources Committee of Town Council* (LUNR) Committee recommended the Planning Commission proceed with establishment of a new *Public Facilities Zoning District* during their February 2, 2021 meeting. A new zoning district would create a new chapter of the Zoning Ordinance (Chapter 21, Article 6), providing land use regulations for property owned and operated by federal, state and local governmental agencies, and associated zoning map changes.

#### ENCLOSURES:

- Current Zoning Map
- Draft Zoning Ordinance language (P.C. draft February 10, 2021)
- Draft Official Zoning Map with PF properties (PC draft February 10, 2021)
- Z.O. Article 20: Procedure for adopting text amendments and notice requirements

#### BACKGROUND

During the February 2, 2021 meeting of the *Land Use and Natural Resources Committee of Town Council* (LUNR), the group recommended adding the US Postal Service property at 2061 Middle Street (TMS# 529-09-00-015) to the list of rezoned PF properties. Revised map enclosed for your review.

Town Council will hold a first reading of these amendments at their regularly scheduled meeting on Tuesday, June 15, 2021 at 6:00 p.m. to consider the Planning Commission's recommendations.

FACILITY NAME	Current Zone	OWNER	SIZE/ ACREAGE	TMS#
Town Hall Complex	None	Town of S.I.	16.7	529-05-00-036
Elementary School	None	Town of S.I.	18.9	529-09-00-068
Battery Gadsden	RS	Town of S.I.	2.7	529-09-00-069
Battery Thompson	RS	Town of S.I.	1.4	529-09-00-067
Battery Logan	RS	Town of S.I.	2.2	523-07-00-086
Fry Shack	RS	Town of S.I.	.67	523-07-00-087

Fort Moultrie and Batt. Jasper	RC-1	National Park Service	25.9	523-07-00-084, 523-07-00-082
Fort Moultrie Visitor's Center	RS	National Park Service	4.7	523-07-00-056
Sullivan's Island Post Office	CC / RS	U.S. Postal Service	.51	529-09-00-015

**Rationale for Creation of Public Facilities District:**

Within the *Sullivan's Island Comprehensive Plan 2018-2028*, land use objective LU 1.4 recommends “consideration of [creating] an “institutional” or “governmental” zoning district to properly separate more intensive uses from residential properties by way of zoning standards.” [page 150, Land Use Goals and Objectives; page 82]. *Noted below, are other benefits cited by the Planning Commission for establishment of a new district:*

- There are several local, state and federally owned and used facilities that are in the residential zoning classification (RS). Although, Section 21-20 A (1) allows “publicly owned facilities or land” as a by-right use in the RS-District, creating a new district that provides details of the existing and anticipated uses would provide clarity for the public’s benefit.
- The Island has multiple government owned and run properties ranging from national historic landmarks (light house, Fort Moultrie, Batteries, etc.) to local public facilities and administrative offices (Town Hall, fire station, library, school, museum, waste water treatment plant). A new “public facilities zoning district” would clearly delineate existing and anticipated governmental uses and ensure these uses correspond with the Town’s Comprehensive Plan (Pg. 82 Land Use).
- Public service uses are more intense than the residential uses, as described in the Purpose and Intent section of the RS-District. Nonresidential public facilities typically involve parking lots and more intensive daily use by facility managers and the public. A new district would more easily authorize adjacent residential properties the ability to install higher fences as a condition of existing fence ordinance regulations (currently, 5’ high maximum height with spaces required between pickets). Allowing more appropriately sized privacy fencing to buffer against more intensively used PF zoning, would require a text amendment to the §21-139 Fence Regulations.

**Process for Amendment of the Zoning Ordinance and Change of the Zoning Map:**

**STEP 1-** PC will draft ordinance language in standard format:

- Purpose & Intent: List reasons. Typically, very flexible standards are established to allow government uses to operate for the public use and benefit.
- Table of permitted and conditional uses
- Use Regulations: Note any conditions of use
- Development Standards: Note any setbacks, building height, coverage limits

**STEP 2-** PC will select the properties designated for rezoning to the new district. LUNR and Council Review and recommendations before PC public hearing. (currently undergoing step 2)

**STEP 3-** PC will hold a public hearing following the procedure proscribed in S.C. Code §6-29-760,

notice requirements for amendments to ordinance text of zoning map:

- Newspaper notice- 15 days prior to the public hearing
- Posting property- for property rezoning cases, conspicuous notice will be placed on the property with one sign visible from each public street bordering the property.
- Mail notice- All adjacent property owners
- Certified mail notice- Property owners

**STEP 4-** Council will consider the PC recommendation during three readings to ratify or not.

**STAFF RECOMMENDATION:**

Recommend approval of the text amendments and rezoning of the above properties following a public hearing.