

MEMORANDUM

TO: Planning Commission Members

FROM: Douglas Kerr, Zoning Administrator 

DATE: July 2, 2020

RE: Subdivision at 105, 107 and 109 Forest Trail

Attached is a request for final approval of a subdivision at 105, 107 and 109 Forest Trail. This subdivision was granted preliminary approval in April 2019 with the conditions that prior to being granted final approval, the owner will have to provide:

- proof of a legal means of handling wastewater;
- final approval of water line extensions to each lot;
- stormwater plan approval through the City's NPDES program, which is administered through Charleston County Public Works; and
- the existing homes being removed or altered to comply with the setback requirements.

The property is currently configured as three lots totaling 2.08 acres and the applicant is proposing to subdivide the property into five lots, with the lots measuring 17,522 square feet, 19,454 square feet, 18,650 square feet, 17,508 square feet and 17,643 square feet.

The property is located in the SR1 zoning district which at the time of applying for approval required lots be at least 17,500 square feet in area, be at least 70 feet wide at the building line, be at least 110 feet deep, and have at least 60 feet of frontage on the street or 30 feet on a cul-de-sac (subsequently the minimum lot size requirement has been increased to 35,000 square feet). Attached is a copy of the zoning ordinance requirements for lots in the SR1 zoning district and the information required for review of the final plat.

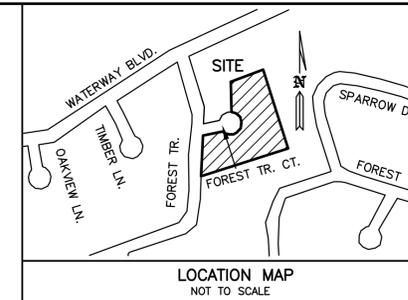
The water and sewer lines have been extended to each lot and the Isle of Palms Water and Sewer Commission has approved those extensions (see attached letter from William P. Jenkins dated January 15, 2020).

The stormwater plan was approved by Charleston County (see attached letter from Chris Wannamaker dated May 19, 2020) and the drainage infrastructure was inspected and determined to be compliant with the plans (see inspection report from Jack Kornahrens dated June 30, 2020).

The existing homes have have been removed and there are no outstanding setback issues.

The property has multiple Historic Trees, which would have to be preserved in accordance with the City's tree preservation ordinance. Additionally, each building permit request will have to include an individual drainage plan pursuant to Sections 5-4-12(p), (q) and (r) of the City's Code.

The City's staff has reviewed the plat and believes that request complies with the requirements of the ordinances and therefore recommends the plat be approved with the condition that a note be placed on the plat indicating that all trees will be preserved in accordance with the City's tree preservation ordinance.



ISLE OF PALMS WATER AND SEWER COMMISSION
TMS 571-07-00-030



I/HEREBY DEDICATE THE DRAINAGE EASEMENTS SHOWN HEREON TO THE USE OF THE PUBLIC FOREVER.

FOREST TRAIL VENTURE, LLC

REFERENCES:

1. PLAT BY E. M. SEABROOK, JR., INC. DATED SEPT. 10, 1968, RECORDED IN CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK X PAGE 139
2. PLAT BY E. M. SEABROOK, JR., INC. DATED JULY 25, 1974, RECORDED IN CHARLESTON COUNTY ROD OFFICE IN PLAT BOOK AD PAGE 107

NOTES:

1. AREA DETERMINED BY COORDINATES
2. BASED ON INTERPRETATION OF FEMA FLOOD INSURANCE RATE MAP NUMBER 45019C 0542 J DATED NOVEMBER 17, 2004, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE AE (ELEV. 13).
3. THE ABSENCE OR PRESENCE OF U. S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS HAS NOT BEEN DETERMINED BY THIS SURVEY.
4. THERE IS NO OBSERVABLE EVIDENCE OF THE LOCATION OF CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY. SUBSURFACE CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING ANY SUBSURFACE OBJECTS THAT MAY AFFECT THE USE OR FURTHER DEVELOPMENT OF THIS PROPERTY.
5. THIS PLAT IS BASED ON OLD DEEDS, OLD PLATS, LINES OF OCCUPATION OF LONG DURATION AND EXISTING MONUMENTATION. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH.
6. WATER AND SEWER SERVICE TO BE PROVIDED BY ISLE OF PALMS WATER & SEWER COMMISSION.
7. EXISTING AND PROPOSED LAND USE IS SINGLE FAMILY RESIDENTIAL.
8. SUBDIVIDER:
FOREST TRAIL VENTURE, LLC
3432 HENRIETTA HARTFORD
MOUNT PLEASANT, SC 29466
(843) 580-4179 (RICK BANNING)
9. THE MINIMUM LOT SIZE REQUIREMENT ON THE DATE OF ORIGINAL SUBMITTAL (01/23/19) WAS 17,500 SF. THE SMALLEST LOT SHOWN IS 17,508 SF.
10. THERE WILL BE 5 LOTS TOTAL.

ZONING (APPLIES TO ALL LOTS):

Minimum lot size requirement on the date of original submittal (01/23/19) was 17,500 sq. ft.
 Lot area: seventeen thousand five hundred (17,500) square feet of contiguous highland.
 Lot width: seventy feet (70') measured at building line.
 Lot depth: one hundred feet (110').
 Lot frontage: sixty feet (60') on a public or private street; thirty (30) feet on a public or private cul-de-sac.
 Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.

Minimum yard requirements in the SR-1 single-family residential district are as follows:
 Front yard: thirty feet (30').
 Side yard: ten feet (10').
 Rear yard: thirty feet (30').
 Exception: legal nonconforming lot minimum yard requirements.
 Front yard: twenty-four feet (24').
 Side yard: ten feet (10').
 Rear yard: twenty-four feet (24').

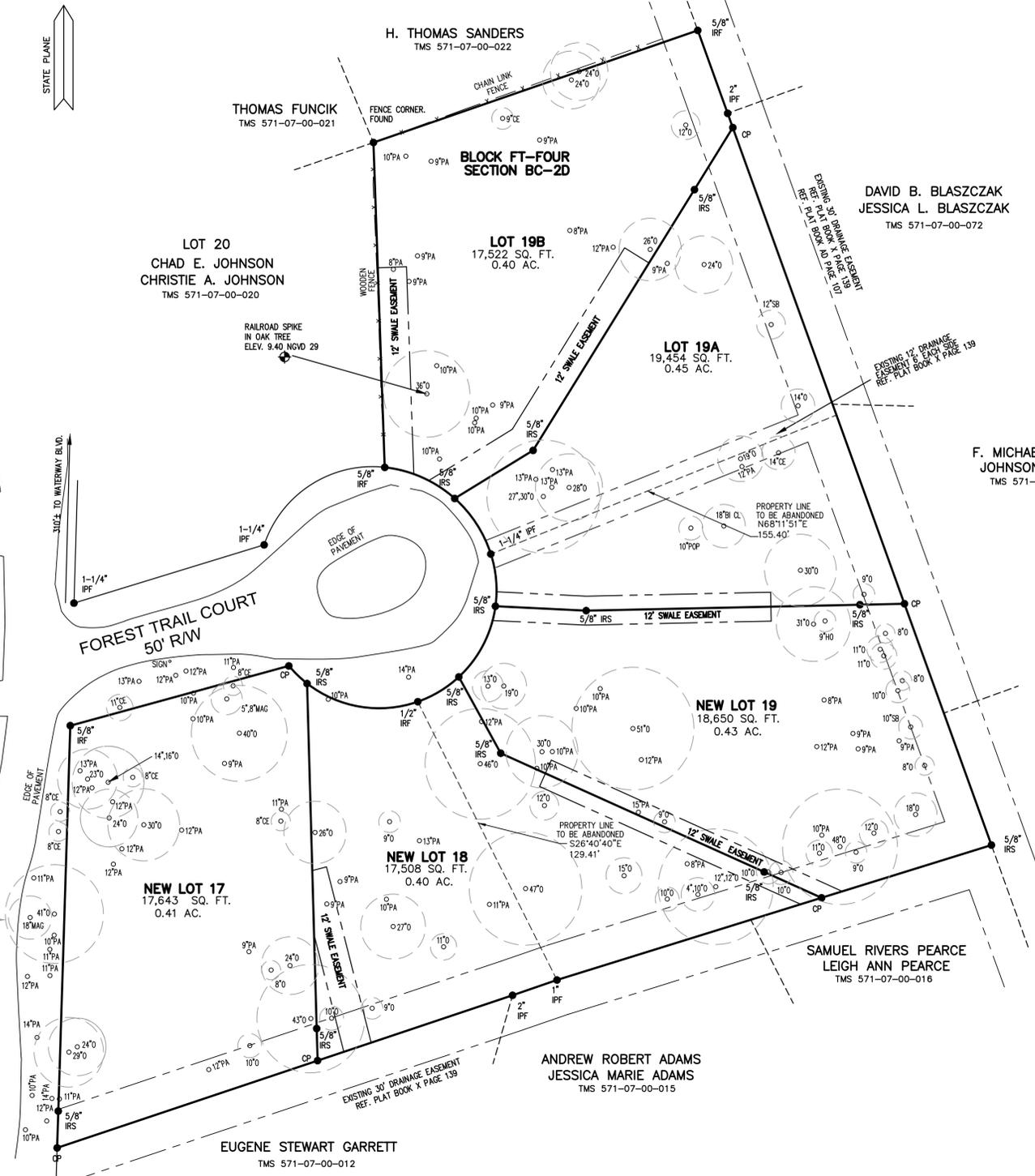
Maximum height in the SR-1 single-family residential district shall be forty feet (40').

Existing and proposed land use is single family residential.

NOTE:
THIS PLAT IS SUBJECT TO ALL APPLICABLE EASEMENTS, RESERVATIONS, AND RESTRICTIVE COVENANTS OF RECORD.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

LEWIS E. SEABROOK
CIVIL ENGINEER & LAND SURVEYOR
S. C. REG. NO. 09860
P. O. BOX 96
MOUNT PLEASANT, S. C. 29465
(843) 884-4496



LEGEND

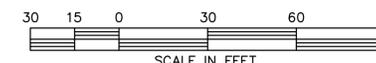
- CP COMPUTED POINT
- IPF IRON PIPE FOUND
- IRF IRON REBAR FOUND
- IRS IRON REBAR SET
- X FENCE

TREE LEGEND

- B1 BIRCH
- CE CEDAR
- CL CLUSTER
- HO HOLLY
- MAG MAGNOLIA
- O OAK
- PA PALMETTO
- POP POPLAR
- SB SUGARBERRY

CITY OF ISLE PALMS
CHARLESTON COUNTY, S. C.

FINAL SUBDIVISION OF LOTS 17, 18 AND 19 BLOCK FT-FOUR SECTION BC-2D CONTAINING 2.08 ACRES TOTAL INTO
 NEW LOT 17 CONTAINING 0.41 ACRE,
 NEW LOT 18 CONTAINING 0.40 ACRE,
 NEW LOT 19 CONTAINING 0.43 ACRE,
 LOT 20 CONTAINING 0.40 ACRE SECTION BC-2D OWNED BY FOREST TRAIL VENTURE, LLC



SCALE: 1" = 30'

AUGUST 28, 2019



E.M. SEABROOK

Engineers | Surveyors

1037 Chuck Dawley Blvd.
 Building F - Suite 200
 Post Office Box 96
 Mount Pleasant, SC 29465
 Phone (843) 884-4496
 www.emseabrook.com

Sec. 5-4-32. - SR-1 single-family residential district.

In addition to all other applicable requirements of this chapter and other City ordinances, the requirements for the SR-1 district are as follows:

- (1) *Purpose.* The purpose of the SR-1 single-family residential district is:
 - a. To provide for quiet, low-density residential neighborhoods on comparatively large lots.
 - b. To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single-family use.
 - c. To encourage the cessation of nonconforming uses.
 - d. to discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.
 - e. To maintain the integrity of established residential neighborhoods, and to minimize the disruption of existing residential patterns by the scattered development of comparatively large residential lots.
- (2) *Permitted uses.* Permitted uses in the SR-1 single-family residential district shall be:
 - a. Detached, single-family dwelling.
 - b. Residential accessory uses.
- (3) *Permitted special exceptions.* Permitted special exceptions in the SR-1 single-family residential district shall be:
 - a. Elementary and secondary schools offering general education courses.
 - b. Church, synagogue, or other place of worship.
 - c. Group dwellings.
 - d. Golf courses.
 - e. Home occupations meeting the requirements of section 5-4-44.
 - f. Public utility and municipal uses satisfying the special exception requirements set forth in subsection (9) of this section.
- (4) *Conditional uses.* Public utility and municipal uses satisfying the conditional use requirements set forth in subsection (9) of this section shall be conditional uses in the SR-1 single-family residential district.
- (5) *Minimum lot requirements.* Minimum lot requirements in the SR-1 single-family residential district are as follows:
 - a. Lot area: thirty-five thousand (35,000) square feet of contiguous highland.
 - b. Lot width: seventy feet (70') measured at building line.
 - c. Lot depth: one hundred ten feet (110').
 - d. Lot frontage: sixty feet (60') on a public or private street; thirty feet (30') on a public or private cul-de-sac.

Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.
- (6) *Minimum yard requirements.* Minimum yard requirements in the SR-1 single-family residential district are as follows:
 - a. Front yard: thirty feet (30').
 - b. Side yard: ten feet (10').

c. Rear yard: thirty feet (30').

Exception: minimum yard requirements for lots with an area less than seventeen thousand five hundred (17,500) square feet.

a. Front yard: twenty-four feet (24').

b. Side yard: ten feet (10').

c. Rear yard: twenty-four feet (24').

(7) *Maximum height.* Maximum height in the SR-1 single-family residential district shall be forty feet (40').

(8) *Double frontage lots.* Double frontage lots are prohibited in the SR-1 single-family residential district.

(9) *Public utilities and municipal uses.*

a. *Public utility facilities and uses.* This subsection (9)a applies to wastewater treatment facilities, public works maintenance and storage facilities, and all other public utility facilities or uses.

(i) Construction or alteration of a public utility facility may be approved in a residential zoning district as a conditional use subject to a finding by the Zoning Administrator that the facility satisfies all of the following conditions:

1. The facility is located on a lot that is at least one (1) acre in size;
2. The overall lot coverage of the facility is less than fifty percent (50%);
3. The minimum setback for any structure is thirty feet (30') from all property lines;
4. The maximum overall height of any structure is thirty feet (30');
5. The minimum buffer along all property lines is twenty feet (20') wide with at least six (6) canopy trees, twelve (12) understory trees, and one-hundred (100) three-gallon shrubs per one-hundred (100) linear feet of property line; with each species approved by the Zoning Administrator based on its ability to provide screening and drought tolerance;

(ii) The Board of Zoning Appeals may approve construction or alteration of a public utility facility in a residential zoning district as a special exception subject to the requirements of section 5-4-5(c) and upon a finding that the following additional conditions are met:

1. The facility is located on a lot that is at least one-half ($\frac{1}{2}$) acre in size;
2. The overall lot coverage of the facility is less than fifty percent (50%);
3. The minimum setback for any structure is twenty feet (20') from all property lines;
4. The maximum overall height of any structure is forty feet (40');
5. The minimum buffer along all property lines is ten feet (10') wide with at least six (6) canopy trees, twelve (12) understory trees, and one-hundred (100) three-gallon shrubs per one-hundred (100) linear feet of property line; with each species approved by the Zoning Administrator based on its ability to provide screening and drought tolerance.

b. *Municipal facilities and uses.* This subsection (9)b applies to all municipal facilities, including but not limited to City halls, fire stations, police stations, public safety facilities, and recreation centers, parks, playgrounds, and any other municipal use, but excludes public utility facilities or uses.

- (i) Construction or alteration of a municipal facility may be approved in a residential zoning district as a conditional use subject to a finding by the Zoning Administrator that the facility satisfies all of the following conditions:
 - 1. The facility is located on a lot that conforms in size to the applicable zoning district requirement;
 - 2. The overall lot coverage is less than forty percent (40%);
 - 3. The minimum building setback from the front or rear lot line is thirty feet (30');
 - 4. The minimum building setback from any side lot line is ten feet (10');
 - 5. The maximum overall height of any structure is forty feet (40');
 - 6. A buffer is installed that complies with section 5-4-71.

- (ii) The Board of Zoning Appeals may approve construction or alteration of a municipal facility in a residential zoning district as a special exception subject to the requirements of section 5-4-5(c) and upon a finding that the following additional conditions are met:
 - 1. The facility is located on a lot that conforms in size to the applicable zoning district requirement;
 - 2. The overall lot coverage is less than fifty percent (50%);
 - 3. The minimum building setback from the front or rear lot line is twenty feet (20');
 - 4. The minimum building setback from any side lot line is ten feet (10');
 - 5. The maximum overall height of any structure is forty feet (40');
 - 6. A buffer is installed that complies with section 5-4-71.

(Ord. No. 2015-15, § 1, 2-23-2016; Ord. No. 2019-07, 4-23-2019)

Sec. 5-5-2. - Subdivision approval process.

The procedure for obtaining subdivision approved by the City is as follows:

- (a) Conceptual plan: Submission and review are optional.
- (b) Preliminary plat: Submission, review and approval are required.
- (c) Conditional plat: Submission, review and approval are optional.
- (d) Final plat: Submission, review, approval and recording are required.

Subsection (a) of this section is optional, at the discretion of the owner. Subsection (b) of this section shall be completed prior to land clearing, grading or making any street or other improvements, including utilities. Either subsection (c) or (d) of this section shall be completed prior to commencement of building construction and/or sale of any lots within the proposed subdivision. Subsection (d) of this section shall be completed prior to the occupancy of any structure.

(Code 1994, § 5-5-2; Ord. No. 1999-7, 4-27-1999)

Sec. 5-5-3. - Conceptual plan.

- (a) *Purpose.* Conceptual plans are encouraged but are not required. The purpose of conceptual plan review is to assist the owner in demonstrating compliance with this chapter prior to extensive site planning and expenditures.
- (b) *No rights granted by conceptual plan review.* Conceptual plan review is solely advisory in nature. Conceptual plan review does not involve any interpretation or approval and it creates no vested right or right of reliance on the part of the owner.
- (c) *Information required for review.* Conceptual plans shall contain at least the date, be legibly drawn to scale, but not necessarily showing exact dimensions, and include the following:
 - (1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area.
 - (2) Tract boundaries and total acreage.
 - (3) Significant topographical and physical features including the location of all critical areas, wetlands, watercourses within and abutting the tract, flood hazard areas and designation of flood hazard zone.
 - (4) The location, names and rights-of-way widths of existing streets.
 - (5) Tentative street and lot arrangement showing acreage, proposed minimum lot size and the number of lots.
 - (6) Existing and proposed land uses throughout the subdivision.
 - (7) Zoning classification and TMS numbers.
 - (8) Existing and proposed drainage and utility easements.
 - (9) Existing and proposed methods of wastewater disposal.
 - (10) The location of the critical area as defined by OCRM, and delineation of the marsh setback required by section 5-4-18. All wetland areas under the jurisdiction of the OCRM or the U.S. Army Corps of Engineers shall be shown.
 - (11) Flood hazard zone, the OCRM critical line, baseline and construction setback line and the City's zoning beach front jurisdictional setback line shall be shown; if applicable.
 - (12) The tree survey required in section 5-4-61.

(13) Owner's name, address and telephone number.

- (d) *Review process.* The applicant may submit a proposed conceptual Plan to the Zoning Administrator, who shall forward the plan to the City Building Official and the Planning Commission for advisory review. The Planning Commission shall provide the applicant with the advisory and nonbinding results of its review within forty-five (45) days following submission of the plan. City Council hereby delegates to the Planning Commission the review of any conceptual plan pursuant to any PDD zoning district requirement.

(Code 1994, § 5-5-3; Ord. No. 1999-7, 4-27-1999; Ord. No. 2017-08, § 2, 1-18-2018)

Sec. 5-5-4. - Preliminary plat.

- (a) *Required.* Submission and approval of a preliminary plat is the first formal stage of a subdivision application review. Preliminary plat approval is required before site improvements may commence.
- (b) *Rights afforded by approval.* Issuance of a preliminary plat authorizes the owner to proceed with the installation of site improvements and with the preparation of final plats. Preliminary plat approval does not authorize the sale or transfer of lots, or the commencement of construction of improvements.
- (c) *Information required for review.*
1. Preliminary plats shall be drawn to scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on one (1) or more sheets not to exceed twenty-two inches (22") by thirty-four inches (34") in size. For small areas being platted, a scale of 1" = 100' shall be used, provided the drawing does not exceed twenty-two inches (22") by thirty-four inches (34") in size.
 2. In addition to the information required for conceptual plans in section 5-5-3(c), the following information shall be required:
 - (1) The courses and distances of the perimeter of the subject property shall be shown.
 - (2) References to a known point such as street intersections and railroad crossings.
 - (3) Zoning classifications, total acreage and total number of lots.
 - (4) The County Tax Map System (TMS) identification numbers of adjacent properties, and street names where known or available, and all intersecting boundaries or property lines shall be shown.
 - (5) Proposed divisions to be created shall be shown, including the right-of-way widths, roadway widths, easement widths, and names of streets; the location of proposed utility installations, lot lines; and sites reserved or deeded for public uses.
 - (6) The title, scale (including graphic scale), north arrow (magnetic, grid or true), date, name of the subdivider and the name of the licensed professional who prepared the plat, together with his South Carolina Registration Number and seal shall be shown on each sheet.
 - (7) Drainage features shall be shown.
 - (8) When required by the City Building Official or other requirements, a drainage plan showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and off-site facilities to be used to carry stormwater from the site.
 - (9) Accompanying data as listed in subsection (9)(a) of this section:
 - (a) The preliminary plat shall be accompanied by:
 1. A statement from the Isle of Palms Water and Sewer Commission stating that public sewer capacity is available to serve the proposed lots; and

2. A statement from the owner agreeing to provide public sewer service to the proposed lots.
- (d) *Criteria for review.* The application for preliminary plat approval must contain all required information. Incomplete applications will be rejected and returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason for rejection.
 - (e) *Review process.*
 - (1) The owner shall submit a proposed preliminary plat to the Zoning Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.
 - (2) Fees set by City Council pursuant to section 5-5-12 must be paid by the applicant at the time of submission of a proposed preliminary plat.
 - (3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the preliminary plat within the sixty (60) days after receipt of a complete application and all required information. Failure to act within the sixty (60) day period, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand. The owner shall be notified in writing of the actions taken.
 - (4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record.
 - (f) *Duration.* Approval of a preliminary plat is valid for one (1) year from the date of approval. Where a subdivision is being developed in sections, the one (1) year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a preliminary plat, the developer may apply for a one (1) year extension of time by the Planning Commission. There is no right to receive an extension, and the Planning Commission has the discretion to require the subdivider to apply for a new preliminary plat; the Planning Commission shall consider the applicant's progress or lack thereof in proceeding with the development and any change circumstances and restrictions in deciding whether to grant an extension.

(Code 1994, § 5-5-4; Ord. No. 1999-7, 4-27-1999; Ord. No. 2003-8, § 2, 6-24-2003; Ord. No. 2017-08, § 3, 1-18-2018)

Sec. 5-5-5. - Conditional plat.

- (a) *Submittal.* Submission and approval of the conditional plat is an optional second formal stage of the subdivision regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are provided to the City to ensure that all required improvements will be completed.
- (b) *Rights afforded by approval.* Issuance of a conditional plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this title, on lots covered by a conditional plat. However, no certificate of occupancy shall be issued for any structures until approval and recording of a final plat is obtained by the owner.

- (c) *Information required for review.* In addition to the information required for review of a preliminary plat submission, the following information is required:
- (1) The applicant shall submit a bond or other financial guarantee meeting the criteria set forth in section 5-5-9.
 - (2) The following conditions shall be conspicuously noted on the plat:
 - a. "This is a conditional plat. No final approval from the City has been obtained. Final plat approval is contingent upon completion and approval of all required improvements. No property shown on the preliminary plat may be occupied in any manner until a final plat is approved by the City. No building permits will be issued until the road base and water system are installed."
 - b. "It shall be the duty of any attorney, real estate agent or broker involved in the subdivision process to give notice of these conditions of approval to all prospective purchasers of any parcels shown thereon."
- (d) *Criteria for review.* The application for conditional plat approval must contain all required elements. Incomplete applications shall be returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason for the rejection.
- (e) *Review process.* The application for conditional plat shall follow the same process set forth for the approval of a preliminary plat pursuant to section 5-5-4.
- (f) *Duration.* In the event required improvements are not completed within one (1) year from the date of approval of a conditional plat, the City shall have the right to invoke the applicable financial guarantees and complete construction of the required improvements. The developer may apply for an extension of time of up to one (1) year by the Planning Commission to complete the required improvements, provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted, and the Planning Commission has the right to invoke the applicable financial guarantees rather than grant an extension.

(Code 1994, § 5-5-5; Ord. No. 1999-7, 4-27-1999)

Sec. 5-5-6. - Final plat.

- (a) *Required.* Submission and approval of the final plat is the final stage of the subdivision approval process. Such approval is required before a certificate of occupancy will be issued.
- (b) *Rights afforded by approval.* Approval of a final plat authorizes the owner to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon compliance with all requirements of section 5-4-101.
- (c) *Information required for review.*
 1. The final plat must be recordable at the County RMC Office, drawn on sheets not exceeding twenty-two inches (22") by thirty-four inches (34"), with a scale of 1" = 100' or larger, and not less than eight and one-half inches (8½") by eleven inches (11"). Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.
 2. In addition to the information required for review of the preliminary plat in section 5-5-4, the following information shall be required:
 - (1) All information required on the preliminary plat, with the exception of topographic data.
 - (2) All property lines with distances, accurate bearings or deflection angles. If a control traverse is run between any two (2) points on any property lines, then it shall be noted. For

property lines which are curves or are in part curves, the arc length and radius shall be shown.

- (3) Curve data for all curves shall consist of the following: The Delta angle, the degree of the curve, the tangent distance, the length of curve by arc method, and the radius. This information should be calculated along the centerline or other defined traverse line for the entire curve, beginning to end as one (1) set of data.
 - (4) The location of all points of curvature and tangency.
 - (5) The location of points of intersection where circular curves are not used.
 - (6) Lot and block numbers suitably arranged by an easily understood system.
 - (7) Certificate of accuracy. A certificate of accuracy shall be lettered or printed on the face of the final plat. The signature, seal and certification of a State-registered professional land surveyor to the effect that the final plat accurately reflects a Class A survey, that all monuments shown thereon actually exist and their position is accurately showing, and that all dimensional details are correct.
 - (8) In subdivisions where existing public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).
 - (9) A statement as follows: "This plat is subject to all applicable easements, reservations and restrictive covenants of record."
 - (10) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvements shall be designated as "future."
 - (11) Certificates, as follows:
 - a. A surveyor's certificate as to accuracy of survey and plat.

"I, [name of surveyor], a registered surveyor of the State of South Carolina, do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____ [state actual precision]."

The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the State Board of Engineering Examiners.
 - b. A statement of dedication by the property owner of any streets, rights-of-way, easements, or other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement or dedication shall be amended accordingly.
 - c. The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South Carolina.
 - d. The date of the field survey upon which final plat is based.
- (d) *Criteria for review.* The application for final plat approval must contain all required elements. Incomplete applications shall be rejected and returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason for rejection.
- (e) *Review process.*
- (1) The applicant shall submit a proposed final plat to the Zoning Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable

City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.

- (2) The Planning Commission may request additional information or documentation to make an application complete and eligible for review.
- (3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the final plat within sixty (60) days after receipt of a complete application and all required information. Failure to act within sixty (60) days, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand.
- (4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record. In addition, the owner must be notified in writing of the actions taken.
- (5) When the Planning Commission approves a final plat after all requirements of these regulations are met, it shall cause its action, including any conditions, to be noted on the face of the original final plat.
- (6) The City reserves the right to require that the following statement be placed upon the plat:

"The approval of this plat does not obligate the City of Isle of Palms in any way to accept the maintenance any of the streets, roads, accesses or easements shown hereon."
- (7) No property may be sold or transferred prior to the approval and recording of the final plat, except pursuant to a conditional plat issued under section 5-5-5.
- (8) No certificate or occupancy pursuant to section 5-4-101 shall be issued prior to the approval and recording of a final plat.
- (9) Fees as set forth in section 5-5-12 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

(Code 1994, § 5-5-6; Ord. No. 1999-7, 4-27-1999; Ord. No. 2017-08, § 4, 1-18-2018)

Sec. 5-5-7. - Development standards.

- (a) *Location.* Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of OCRM, U.S. Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the OCRM and the latest edition of the County Road Code.
- (b) *Easements and dedications.*
 - (1) Easements for drainage, water or sewer, may be required along rear and side property lines where necessary. Redesign of the lot may be required to address drainage conditions.
 - (2) Drainage easements shall be provided and dedicated in accordance with the requirements of the OCRM and the latest edition of the County Road Code.
 - (3) Easements shall center along or be adjacent to a common property line where practical.
 - (4) No subdivision shall block or obstruct the natural drainage of the adjacent area.
 - (5) Existing natural drainage shall be retained or adequately relocated.

- (6) Dedication of streets, schools sites, or recreational areas may be required.
- (c) *Lots.* Lot requirements are contained in sections 5-4-32 through 5-4-40, with special requirements and exceptions contained in additional sections of this title.
- (d) *Flood prevention.*
 - (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
 - (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
 - (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
 - (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than fifty (50) lots or five (5) acres.
- (e) *Other requirements.*
 - (1) All land subdivisions in the City shall be in accordance with (Class A) Urban Land Surveys as promulgated by S.C. Code 1976, title 40, ch. 22, as amended, and as described in the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.
 - (2) Beachfront property. All plats for beachfront property shall contain the following note:

"The City of Isle of Palms, at the time of the approval of this plat, prohibits the issuance of any permits for any kind of hard beach erosion control structures or devices (i.e., sea walls, revetments, rip-rap, bulkheads, groins, large sandbags, etc.) within the area landward of the OCRM critical area and within a 250-foot radius of the mean high water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet, and strongly opposes the issuance of any permits for hard beach erosion control structures elsewhere in the City.
 - (3) The Planning Commission shall approve and authorize the name of a street or road laid out within property over which it has jurisdiction. Also, it may, after fifteen (15) days' notice published in a newspaper having general circulation in the City, change the name of a street or road within the City pursuant to S.C. Code 1976, § 6-29-1200, as amended.
 - (4) No land development plan, including subdivision plats, shall be approved unless all land intended for use as building sites can be used safely for building purposes without danger from flood or other inundation or from other menaces to health, safety or public welfare.
 - (5) Stormwater management. No land development plans, including subdivision plats, shall be approved unless the property meets all requirements contained in title 3, chapter 3, pertaining to stormwater regulations.

(Code 1994, § 5-5-7; Ord. No. 1999-7, 4-27-1999; Ord. No. 2007-6, § 1, 3-27-2007; Ord. No. 2007-17, § 1, 8-28-2007)

Sec. 5-5-8. - Required improvements.

- (a) *Markers.*
 - (1) Markers shall be placed as specified below:
 - a. A marker shall be set on the right-of-way line at the ends of the block for every block length of street. When blocks occur that have a curve in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on rights-of-way (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.
 - b. Markers shall be one of the following:

1. A reinforced concrete marker with a brass or copper pin in the top. Concrete markers shall be a minimum of three feet (3') long and have a minimum cross sectional area of nine (9) square inches. They shall protrude above the ground not less than two inches (2") and not more than six inches (6").
 2. An iron pipe having a minimum diameter of three-fourths ($\frac{3}{4}$) inch hollow or one-half ($\frac{1}{2}$) inch solid steel. Such iron pins will be a minimum of two feet (2') in length and shall extend above the ground at least one inch (1").
- (2) Markers shall be installed prior to the submission of and approval of the final plat.
 - (3) The location and type of all markers used shall be indicated on the final plat.
- (b) *Utility, drainage and street improvements.*
- (1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the latest edition of the County Road Code.
 - (2) The owner shall install public sewer lines and connect to the public sewer system operated and maintained by the Isle of Palms Water and Sewer Commission.
 - (3) Street name signs in accordance with the requirements of the current edition of the County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.
 - (4) All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the latest edition of the County Road Code.
 - (5) All lots not exceeding two hundred (200) feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70 percent to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one (1) or more of the techniques contained in OCRM stormwater guidelines and approved by the Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.

(Code 1994, § 5-5-8; Ord. No. 1999-7, 4-27-1999; Ord. No. 2017-08, § 5, 1-18-2018)

Sec. 5-5-9. - Financial guarantees.

- (a) In lieu of completing the required improvements listed hereinabove, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable State-licensed corporate surety, or a bank cashier's check, all in favor of the City, to ensure that in the event of default by the developer funds will be available to install the required improvement at the expense of the owner, may be accepted by the Planning Commission; provided that the City Attorney has in each instance reviewed each letter of credit or bonding agreement and has given an opinion in favor of the City that the interests of the City are fully protected. Where a cashier's check for the full cost of the improvements is utilized, opinion of counsel may be waived. The amount of the bond shall be set by the Planning Commission, and shall be not less than one hundred twenty-five percent (125%) of the projected cost of the improvements, with a minimum of \$2,000.00, if completed two (2) years after the date of the bond.
- (b) Upon completion of the improvements as required by this section, written notice thereof shall be given by the subdivider to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will within thirty (30) days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond

was insufficient to finance the required improvements after the subdivider has defaulted, City Council will assess the individual subdivider the cost of the improvements over and above the surety amount.

- (c) In no instance will the bond holder be authorized to extend for the subdivider the completion date originally stipulated.
- (d) Pro-rata refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit. The Planning Commission, may at its discretion, refund no more than ninety percent (90%) of the original estimated completion cost of that portion of the project requested by the developer.
- (e) The Planning Commission shall review, approve, or reject each acceptance of surety in lieu of completion of improvements. In making its determination it shall give due consideration to the commitments made by the subdivider to individual purchases.

(Code 1994, § 5-5-9; Ord. No. 1999-7, 4-27-1999)

Sec. 5-5-10. - Exception to preliminary plat review process.

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage system, an owner may submit the following information to the Zoning Administrator in lieu of the preliminary plat requirements:

- (1) The information required for review of a conceptual plan, as set forth in section 5-5-3.
- (2) A letter confirming the availability of public sewer service from the Isle of Palms Water and Sewer Commission and a statement from the owner agreeing to provide public sewer service to the proposed lots.
- (3) In subdivisions where existing public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).

Review shall follow the procedures set forth for final plats in section 5-5-6; provided, however, that if the Building Official determines that street or drainage system modifications are required, the application shall be construed as one (1) for issuance of a preliminary plat pursuant to section 5-5-4.

(Code 1994, § 5-5-10; Ord. No. 1999-7, 4-27-1999; Ord. No. 2017-08, § 6, 1-18-2018)

Sec. 5-5-11. - Variances.

- (a) Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Planning Commission for a variance. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.
- (b) The application for a variance shall clearly and definitely state the reason why a variance is needed. Consideration must be given to the following factors:
 - (1) Special conditions affecting the property.
 - (2) Undue hardships that will result from adherence to the requirements.
 - (3) Grants of variance shall not be detrimental to adjacent property or to the public interest. Conditions may be imposed on any such variance.

(Code 1994, § 5-5-11; Ord. No. 1999-7, 4-27-1999)

Sec. 5-5-12. - Fees.

- (a) Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the Building Official and approved by resolution of City Council.
- (b) Such Schedule of Fees may be amended from time to time by resolution of City Council.

(Code 1994, § 5-5-12; Ord. No. 1999-7, 4-27-1999)

Sec. 5-5-13. - Vested rights.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - 1. *City* means the incorporated area of the City.
 - 2. *Approved* means a final review and approval by the Planning Commission of a site specific development plan in accordance with the provisions of this chapter. Phased development plans remain subject to review by the Planning Commission of all phases prior to being vested.
 - 3. *Landowner* means an owner of a legal or equitable interest in real property, including heirs, devisees, successors, assigns and personal representatives of the owner. Landowner also includes a person holding a valid contract to purchase real property whom the owner has given written authorization to act as his agent or representative for the purpose of submitting a proposed development plan.
 - 4. *Phased development plan* means a development plan submitted to the Planning Commission by a landowner that shows the types and density or intensity of uses for a specific property or properties to be developed in stages but which do not satisfy the requirements of a Site Specific Development Plan.
 - 5. *Site specific development plan* means a plan submitted by a landowner which describes with reasonable certainty the types and density or intensity of uses for specific property and must include, at a minimum, a preliminary plat in conformity with section 5-5-4(c) and a site plan which includes the sizes, shapes, dimensions and locations of all proposed structures.
 - 6. *Vested right* means the right to undertake and complete the development of property under the terms and conditions of a Site Specific Development Plan in conjunction with this section and in conformity with City land development ordinances and upon final approval by the Planning Commission.
- (b) Submission and approval of a site specific development plan confers upon the owner a vested right to undertake and complete the development of the subject property in conformity with the information provided by the owner to the Planning Commission.
- (c) A vested right is established for two (2) years from the date of final approval of a site specific development plan. Such vested right shall receive no more than five (5) one-year extensions upon written application by the landowner for each year that an extension is desired and shall be received no later than thirty (30) days prior to the expiration of the current term. No extension shall be approved if an amendment to this chapter has been adopted that prohibits such approval.
- (d) A vested right in a site specific development plan shall not attach until all plans have been received, approved and all fees paid in accordance with the procedure outlined in subsection (e) of this section. All administrative appeals must be resolved in favor of the applicant before a vested right attaches.
- (e) The procedure for the review process of a site specific development plan is the same as that required to submit a preliminary plat as set forth in section 5-5-4(e).

- (f) The Board of Zoning Appeals has no authority to grant a vested right and no such right shall accrue as a result of its actions.
- (g) Variances or special exceptions do not create vested rights.
- (h) A phased development plan is not eligible for vesting.

(Ord. No. 2005-2, § 2, 6-28-2005)

Sec. 5-5-14. - Penalties.

Any violation of the provisions of this chapter shall be a misdemeanor, punishable pursuant to section 1-3-66; and in addition, any City official is hereby authorized and empowered to enforce these regulations pursuant to the remedies set forth in section 5-4-7.

(Code 1994, § 5-5-13; Ord. No. 1999-7, 4-27-1999; Ord. No. 2005-2, § 1, 6-28-2005)

COMMISSIONERS

JANICE K. ANDERSON, PE
CURTIS R. HELFRICH, PE
ROBERT W. HOOPER, JR.
JAY D. LEIGH
DONALD S. SMITH



INTERIM GENERAL MANAGER
CHRIS JORDAN

COMPTROLLER
HELENA K. STICKLES, CPA

SPECIAL PROJECTS ADMINISTRATOR
WILLIAM P. JENKINS

January 15, 2020

Mr. Rick Banning
Forest Trail Ventures
3432 Henrietta Hartford Road
Mt. Pleasant, SC 29466

Re: Acceptance Letter
Water and Sewer Extensions
Forest Trail Court 105-109

Mr. Banning:

The Isle of Palms Water and Sewer Commission hereby accepts and will own, operate and maintain the water and sewer lines and appurtenances installed for this subdivision of properties as shown on the record drawings provided by E.M. Seabrook, Jr., Inc. and signed by Lewis Seabrook, PE/PLS. Quantities installed include four new sewer laterals and two new water services to serve five lots. Two lots currently have services provided by the Commission.

Should you have any questions or require further information, please do not hesitate to contact this office.

Sincerely,

William P. Jenkins
Special Projects Administrator

cc: Files
Douglas Kerr, Isle of Palms Building Department
Lewis Seabrook, PE/PLS, E.M. Seabrook, Jr., Inc.



4045 Bridge View Dr.
North Charleston, SC 29405-7464
Phone: 843.202.7600
Fax 843.202.7601

Permit

Permit # **STRM-04-20-02354**

Type: **Stormwater - Site Construction**

Work Class: **Type II - 1.0 acre but less than 5.0 acres**

ACTIVE

Issue Date: **5/19/2020**

May 19, 2020

**Forest Trail Ventures, LLC
Attn: Rick Banning
3432 Henrietta Hartford RD
Mount Pleasant, SC 29466**

RE: 109 FOREST TR
TMS #: 571-07-00-017

Dear: Mr. Banning

A review of the above referenced project has been completed and determined that compliance with our Stormwater Management Ordinance and Program has been met. This letter serves as notification of final approval from the Public Works Department. Our approval does not constitute an approval to begin construction. You must contact the County's Planning Department, who will issue the permit required to begin work.

The Public Works Department will be conducting site inspections periodically on your project to check for compliance with the Stormwater Management Ordinance, the approved construction documents, and the Stormwater Management Plan.

Sincerely,

Chris Wannamaker, P.E.
Stormwater Program Manager

cc: Charleston County Planning and Zoning Department



American Public Works Association

www.charlestoncounty.org



Stormwater Inspection Report

Phone: 843.202.7639 Fax: 843.202.7601

Inspection Number: SW-INSP-2200902-2020

Case Module: Permit Management

Inspection Date: 06/30/2020

Case Number: STRM-04-20-02354

Inspector: Jack Kornahrens

Inspection Type: Stormwater Site Inspection

Inspection Status: Routine

Job Address: 109 Forest Tr
Isle Of Palms, SC 29451

Parcel Number: 5710700017

Contact Type	Company Name	Name
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Checklist Item

Comments

Weather

Sunny and warm.

Comments

This site is MS4 compliant. All require Best Management Practices are installed.

No Deficiencies Found

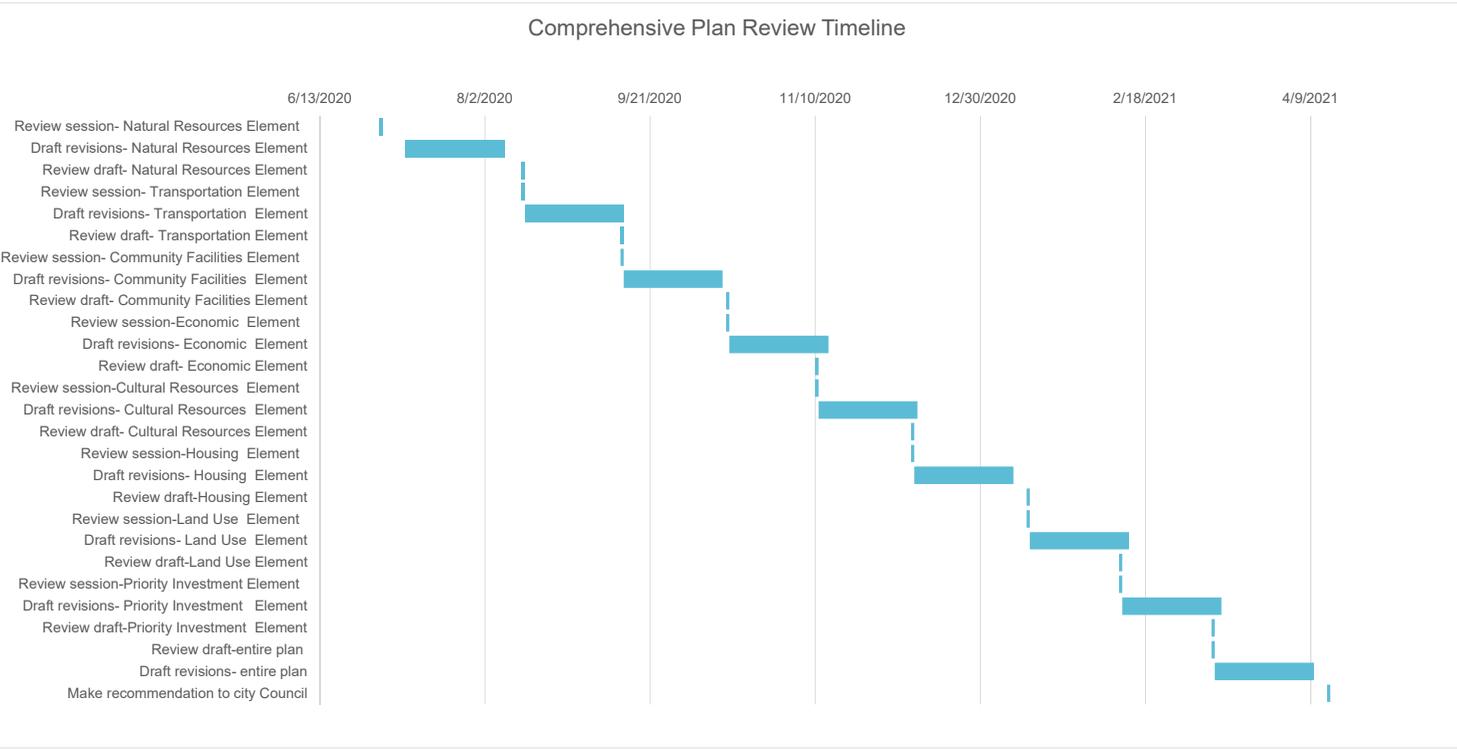
Site work appears to be in compliance with the Charleston County Stormwater Manual. Please continue to maintain BMPs and routine self-inspections to prevent future issues.

No deficiencies are noted.

Jack Kornahrens, Stormwater Inspector

COMPREHENSIVE PLAN TIMING

TASK NAME	START DATE	DUE DATE	DURATION
Review session- Natural Resources Element	7/1/2020	7/8/2020	1
Draft revisions- Natural Resources Element	7/9/2020	8/12/2020	30
Review draft- Natural Resources Element	8/13/2020	8/13/2020	1
Review session- Transportation Element	8/13/2020	8/13/2020	1
Draft revisions- Transportation Element	8/14/2020	9/12/2020	30
Review draft- Transportation Element	9/12/2020	9/12/2020	1
Review session- Community Facilities Element	9/12/2020	9/12/2020	1
Draft revisions- Community Facilities Element	9/13/2020	10/14/2020	30
Review draft- Community Facilities Element	10/14/2020	10/14/2020	1
Review session-Economic Element	10/14/2020	10/14/2020	1
Draft revisions- Economic Element	10/15/2020	11/10/2020	30
Review draft- Economic Element	11/10/2020	11/10/2020	1
Review session-Cultural Resources Element	11/10/2020	11/10/2020	1
Draft revisions- Cultural Resources Element	11/11/2020	12/9/2020	30
Review draft- Cultural Resources Element	12/9/2020	12/9/2020	1
Review session-Housing Element	12/9/2020	12/9/2020	1
Draft revisions- Housing Element	12/10/2020	1/13/2021	30
Review draft-Housing Element	1/13/2021	1/13/2021	1
Review session-Land Use Element	1/13/2021	1/13/2021	1
Draft revisions- Land Use Element	1/14/2021	2/10/2021	30
Review draft-Land Use Element	2/10/2021	2/10/2021	1
Review session-Priority Investment Element	2/10/2021	2/10/2021	1
Draft revisions- Priority Investment Element	2/11/2021	3/10/2021	30
Review draft-Priority Investment Element	3/10/2021	3/10/2021	1
Review draft-entire plan	3/10/2021	3/10/2021	1
Draft revisions- entire plan	3/11/2021	4/14/2021	30
Make recommendation to city Council	4/14/2021	4/14/2021	1



Section: NATURAL RESOURCES

<u>Support Vision Y/N</u>	<u>2020 Status G/Y/R</u> 	<u>Measure of Success</u>	<u>Assigned/ Funded Y/N</u>	<u>Notes & Updates</u>
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Goal 3.1

Conclude whether obtaining an improved flood insurance Community Rating System (CRS) rating is feasible.

Strategy 3.1.1

Pursue improving the CRS rating when feasible. *(Ongoing; Building Department)*

Goal 3.2

Improve the water quality of the ocean, waterway and creeks surrounding the island.

Strategy 3.2.1

Act upon findings of the 319 non-point source pollution grant water quality study with passage of pertinent ordinances to mitigate sources of pollution *(2008; General Government and City Council)*

Strategy 3.2.2

Establish an ongoing water quality monitoring program for the backwaters. *(2008; Building Department, Public Works and General Government)*

Strategy 3.2.3

Monitor and/or participate in local and regional water quality studies. *(Ongoing; General Government)*

Strategy 3.2.4

Monitor DHEC/OCRM testing of ocean waters impacting the island. *(Ongoing; General Government and Building Department)*

Strategy 3.2.5

Create a public awareness/education program to address the impact of individual actions on the water ecology of the island. *(Ongoing; General Government, Building Department and Charleston County NPDES public education program)*

Section: NATURAL RESOURCES

<u>Support Vision</u> <u>Y/N</u>	<u>2020 Status</u> <u>G/Y/R</u> 	<u>Measure of Success</u>	<u>Assigned/Funded</u> <u>Y/N</u>	<u>Notes & Updates</u>
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Goal 3.3
Protect marshes, dunes and beaches.

Strategy 3.3.1
Create a public awareness/education program aimed at protecting the sensitive ecosystem of a barrier island, to include protection of dunes and marshes and their vegetation, as well as the importance of removing animal waste and trash from the beaches. (2008; *General Government and Building Department*)

Strategy 3.3.2
Support efforts to minimize the impact of erosion on the ends of the island including beach nourishment projects. (Ongoing; *General Government*)

Goal 3.4
Promote the maintenance of green spaces throughout the island.

Strategy 3.4.1
Investigate the potential for establishing small parks on City owned, undeveloped green spaces. (2008; *Recreation Department and Building Department*)

Goal 3.5
Protect the island’s wildlife and vegetation.

Strategy 3.5.1
Pursue enforcement of ordinance(s) aimed at protecting loggerhead turtle nesting activities and sites. (Ongoing; *Building Department and Police Department*)

Strategy 3.5.2
Support other regulations that protect wildlife and vegetation. (Ongoing; *General Government and Police Department*)

INTRODUCTION

In 1994 the State of South Carolina adopted the Comprehensive Planning Enabling Act. This Act revised the State's planning laws, including the process by which municipalities may develop and adopt comprehensive plans. The Isle of Palms Comprehensive Plan was prepared in accordance with the 1994 Act. During the many months of preparation, numerous workshops and public hearings were held and many experts in various fields were consulted. A list of meetings at which the plan was discussed and the topics discussed at those meetings appear in Appendix C. All meetings were open to the public and public participation in the planning process was encouraged.

This Comprehensive Plan is intended to document the history of development on the Isle of Palms, identify the community's problems and needs, and articulate a vision for its future. The Plan is also intended to help guide future decision making in matters affecting the physical, social, and economic growth, development and redevelopment of the community. This plan is not a final product; it is part of a continuing planning process and should be updated and revised as new information becomes available or as new problems and needs arise.

The first plan adopted pursuant to the 1994 Act was adopted in December 1997 and then amended with the addition of time frames for implementing strategies that were contained in the plan in March of 1998. In November 2002, the Planning Commission began on what was intended to be a five year review. However, the number of changes became significant enough to warrant a ten-year update to the plan. The revisions from this review were incorporated in early 2004. The plan was reviewed by the Planning Commission in 2008, and as a part of this review, two new elements were added, Transportation and Priority Investment, as required by the 2007 South Carolina Priority Investment Act. In 2014, the Planning Commission reviewed the plan and recommended that the plan be updated to include information regarding the 2010 Census, the potential impact of the Biggert-Waters Act and beach erosion issues.

The Plan includes nine major elements: Population, Economic, Natural Resources, Cultural Resources, Community Facilities, Housing, Land Use, Transportation and Priority Investment. Each element includes background information, and may also include a list of key issues and a set of goals and

implementation strategies where appropriate. Preceding these elements is an overall vision statement and brief description of the island's location and history.

Time frames and priorities for implementing the strategies contained in this plan are included in parentheses at the end of each strategy.

Vision Statement

Isle of Palms has developed into a premier barrier island residential community with a variety of housing styles, commercial uses and recreational facilities. Despite the natural cycle of beach erosion that is inherent on barrier islands and the extensive development of the island, the natural resources that make Isle of Palms such a wonderful place to live and visit remain intact and in good condition. Measures that will enhance the existing character of the island as a quality place to live, and protect the environment both on and around the island, must be taken to guide development and preserve the quality of life for generations to come.

January 31, 2002 (revised May 26, 2015)

NATURAL RESOURCES

Characteristics

Isle of Palms, like most South Carolina barrier islands, is characterized by a beach and dune ridge system with an extensive tidal marsh along the northeastern side of the island. The island is surrounded by navigable waters and provides some opportunities for access by boat and numerous beach access points. Prior to development, the island was covered by maritime forest.

Ground elevations on the island range from sea level to 17 feet above mean sea level (MSL) at points along a ridge on the ocean side of the island. However, the topography of the island is relatively flat, with an average ground elevation above mean sea level of only eight (8) to ten (10) feet.

The mean tide range, low tide to high tide, is 5.2 feet with the spring tide range increasing to 6.1 feet. Hurricane water levels are much higher, with the potential for reaching an elevation of 12 feet MSL and wave crests up to 18.6 feet MSL. In 1989 the storm surge from Hurricane Hugo covered most of the island with peak water levels ranging between 15.5 feet above MSL along the beach and 12.5 feet above MSL along the back of the island.

Historic shoreline maps and charts show that the beaches on the Isle of Palms are generally accreting, but the shoreline has cyclical erosional episodes particularly around the unstable inlet zones.

Despite erosion, flooding and susceptibility to coastal storms, the beautiful sandy beaches, marshes, creeks, ocean, clean air, trees, fish and wildlife make the Isle of Palms a very attractive place to live. Protection of these natural resources is essential to maintaining a high quality of life on the Isle of Palms.

Flooding

Because of low ground elevations, virtually the entire island lies within a Special Flood Hazard Area of the National Flood Insurance Program. The most common flood zone designations on the island are AE and VE zones, which delineate the statistical threat of flooding from a “100 year hurricane,”

for which there is a one percent probability of occurring in any given year. Pockets of low elevation, coupled with storm drainage that is significantly influenced by the ebb and flow of the tides, are causes for serious accumulations of storm water, whether generated by heavy rainfall or storm surge.

To minimize the potential for property damage due to flood conditions, the City adopted a comprehensive set of regulations in 1983, which are found in Title 5, Chapter 2, of the Code of the City of Isle of Palms. The City is in compliance with the requirements of the Federal Emergency Management Agency (FEMA), the federal agency responsible for administering the National Flood Insurance Program (NFIP) which allows its citizens to secure federally backed flood insurance policies. Furthermore, the City participates in the Community Rating System (CRS), which is a program that rewards communities that are doing more than meeting the minimum requirements of the NFIP. The City is presently designated as a “Class 7” CRS community, which entitles its citizens to a 15% discount on flood insurance rates. The goal of the CRS is to reduce the loss of life and property in the event of a flood and to protect the natural and beneficial functions of the floodplain.

Water Quality

The quality of waters surrounding the island is inextricably connected to the quality of life on the Isle of Palms. Early in the 1990s the South Carolina Department of Health and Environmental Control (DHEC) conducted a water quality monitoring program along the Intracoastal Waterway from Charleston harbor to McClellanville. The program monitored water quality at 51 sites in the study area, three of which were located on the Isle of Palms. In addition, DHEC routinely monitors shellfish beds in the Waterway.

Results of the above testing indicate that of the 51 sites in the testing area, as many as 41 sites have not met water quality safety standards for harvesting oysters, and 26 sites have not met safety standards for swimming.

An informed City government and population are required to protect the sensitive ecosystem of the island and the impact of pollutants on its water quality. In an effort to better understand, and ultimately address, the island’s water quality issues, the City Council voted in August 2001 to apply for grant monies to study the waters behind the island. The grant monies were

offered by the Environmental Protection Agency (EPA) through DHEC under a program entitled “319 Non-point Source Pollution;” to match funds allocated by the City to pay for the cost of such a study. The study began in August 2001 and was completed in March 2004. Pollutants that adversely impact the island’s back waters are nutrients, pesticides, heavy metals and fecal coliforms.

In 2007, the City developed a program in conjunction with Charleston County to improve water quality and comply with the requirements of the Clean Water Act. This program is explained in more detail in the Community Facilities element of this Plan.

Beach

The Isle of Palms shoreline generally is accreting, with sand bypassing Dewees Inlet and moving onto the northern shoreline in the form of large sand shoals. Once the shoals attach to the beach, the sediment shifts laterally along the shoreline, with the majority moving along the island’s beaches in the direction of Breach Inlet and some moving in the opposite direction onto the Dewees Inlet shoreline. Sediment that moves down the shore accumulates along the southwestern 1.5 miles of the Isle of Palms shoreline, which is accretional over the long-term. Some of the moving sediment bypasses Breach Inlet in the form of sand bars that ultimately attach to Sullivan’s Island.

As a result of the episodic nature of shoal attachment and sediment redistribution, the Isle of Palms shoreline closer to Dewees Inlet tends to exhibit unstable characteristics.

State regulatory responsibility for protecting the beach and dune system rests with the South Carolina Office of Ocean and Coastal Resources Management (OCRM), which is a division of South Carolina Department of Health and Environmental Control (DHEC). This state agency was created in 1977 as the South Carolina Coastal Council, when the State Legislature adopted the South Carolina Coastal Zone Management Act, SC Code section 48-39-10, et. seq. The Act also established the first comprehensive set of regulations for protecting coastal resources in the eight South Carolina coastal counties. In 1988, DHEC’s jurisdiction on the beachfront was amended by passage of the South Carolina Beachfront Management Act, SC Code section 48-39-270, et. seq. which was further amended in 1990. In

1998, OCRM began a program to periodically test the quality of water along the shoreline. This testing has proven that the water at the beach is very clean, with only two swim advisories ever issued and the most recent advisory being in summer of 2002.

In addition to state regulatory authority over the beaches, the City of Isle of Palms also exercises jurisdiction over the beach on some issues. In areas where the City retains jurisdiction, it has adopted amendments to the zoning ordinance to protect areas abutting the OCRM jurisdiction. The City has marked the beach access paths with a numbering system that corresponds to the opposing street number. Also, provisions for handicapped accessible parking spaces and paths have been added at the 9th and 21st Avenue beach accesses.

The Isle of Palms Local Comprehensive Beach Management Plan was approved by the City and OCRM in April of 2008. The Plan, which is required by state law and must be updated every ten years, reports on the state of the island's beaches and dunes and provides guidance for the City in managing these important assets.

As a result of a recent episode of excessive erosion on the northeastern end of the island near Dewees Inlet, a \$10M beach restoration project was undertaken in 2008. This consisted of an off-shore dredge pumping sand onto the shore and subsequent monitoring. This project was funded by private and public funds. The method of restoration, off-shore dredging, was recommended by a Long-Term Beach Management Report (not to be confused with the overall Local Comprehensive Beach Management Plan, mentioned above). This report was developed by a group of people with varying interests working with a coastal engineer to develop recommendations that reflect the consensus of the community for future beach management policies and actions. The City continues to monitor erosion on the entire shoreline and occasionally undertakes projects to address affected areas.

In 2015, the City Council approved a resolution expressing the City's opposition to seismic testing and offshore oil and gas development off the South Carolina Coast. Additionally in 2015, the City became the first community in South Carolina to ban the use of single-use plastic bags in commercial operations.

Wildlife and Vegetation

Seven species of birds are listed on the federal endangered or threatened list which may be found in the area. The endangered species are the bald eagle, Bachman's warbler, wood stork and red-cockaded woodpecker. Threatened birds are the piping plover, peregrine falcon and red knot.

The loggerhead sea turtle, a threatened species, visits the island to lay eggs along the beach. South Carolina beaches have the largest number of nest sites in the "population" tracked between North Carolina and Northern Florida. In recent years the nests have numbered between 20 and 60 on the beaches of the Isle of Palms. It is thought that individual turtles may return to historical/ regional nesting sites every two to five years, accounting for the wide fluctuation in the number of nests from year to year. Enforcement of the island's lighting ordinance, which prohibits lighting directed at the beach, as well as ordinances requiring the removal of overnight beach furniture, filling in holes in the sand and properly disposing of all trash and garbage is going to help save this threatened species by protecting nests on the island.

No federally listed endangered or threatened plants are known to be located on the island. The primary tree species on the island are palmetto, live oak, loblolly pine, wax myrtle, and crepe myrtle. In 1989 the City adopted its first tree ordinance to prevent parcels from being completely cleared during development. In 2002, the ordinance was amended to include further protection for all live oak trees and other trees in excess of eight inches diameter.

After hurricane Hugo, Palm Boulevard was lined with palmetto trees through a privately organized and funded "Plant-a-Palm" program.

Key Issues

- Improvement and maintenance of water quality.
- Protection of beach, dunes and marsh lands.
- Protection of wildlife and vegetation.

Goals and Implementation Strategies

Goal 3.1: Conclude whether obtaining an improved flood insurance Community Rating System (CRS) rating is feasible.

Strategy 3.1.1: Pursue improving the CRS rating when feasible. *(Ongoing; Building Department)*

Goal 3.2: Improve the water quality of the ocean, waterway and creeks surrounding the island.

Strategy 3.2.1: Act upon findings of the 319 non-point source pollution grant water quality study with passage of pertinent ordinances to mitigate sources of pollution. *(2008; General Government and City Council)*

Strategy 3.2.2: Establish an ongoing water quality monitoring program for the backwaters. *(2008; Building Department, Public Works and General Government)*

Strategy 3.2.3: Monitor and/or participate in local and regional water quality studies. *(Ongoing; General Government)*

Strategy 3.2.4: Monitor DHEC/OCRM testing of ocean waters impacting the island. *(Ongoing; General Government and Building Department)*

Strategy 3.2.5: Create a public awareness/education program to address the impact of individual actions on the water ecology of the island. *(Ongoing; General Government, Building Department and Charleston County NPDES public education program)*

Goal 3.3: Protect marshes, dunes and beaches.

Strategy 3.3.1: Create a public awareness/education program aimed at protecting the sensitive ecosystem of a barrier island, to include protection of dunes and marshes and their vegetation, as well as the importance of removing animal waste and trash from the beaches. *(2008; General Government and Building Department)*

Strategy 3.3.2: Support efforts to minimize the impact of erosion on the ends of the island including beach nourishment projects. *(Ongoing; General Government)*

Goal 3.4: Promote the maintenance of green spaces throughout the island.

Strategy 3.4.1: Investigate the potential for establishing small parks on City owned, undeveloped green spaces. *(2008; Recreation Department and Building Department)*

Goal 3.5: Protect the island's wildlife and vegetation.

Strategy 3.5.1: Pursue enforcement of ordinance(s) aimed at protecting loggerhead turtle nesting activities and sites. *(Ongoing; Building Department and Police Department)*

Strategy 3.5.2: Support other regulations that protect wildlife and vegetation. *(Ongoing; General Government and Police Department)*