

We want to hear from you!

The Code **Assessment** was prepared by the project consultant team following a close review of the existing Zoning Ordinance, the City Plan, and other plans prepared by the city (including those relating to the rising water environment), as well as meetings with City staff, citizen and neighborhood leaders, development professionals, other key stakeholders, and members of the general public.

We look forward to your comments on the Code Assessment. Please take the online survey to provide your feedback, and visit the website to keep in touch.

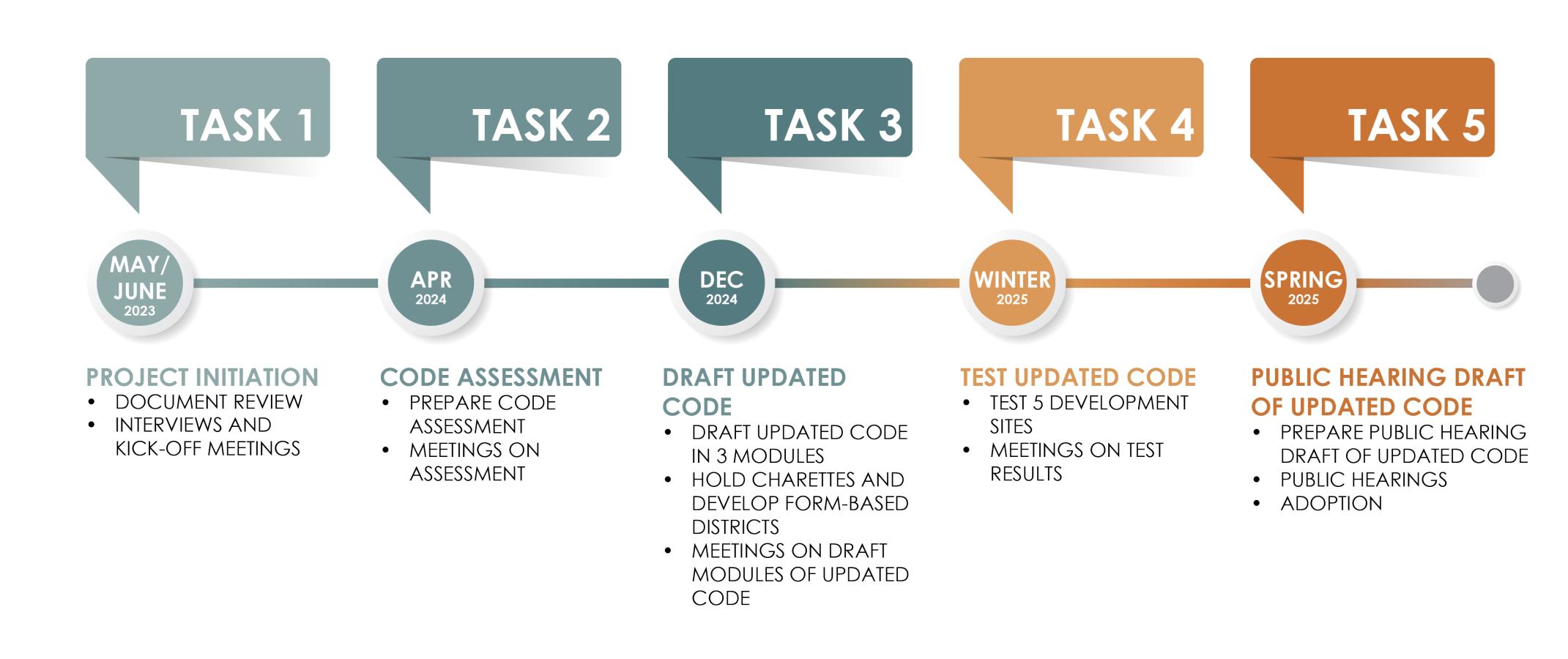
PROJECT OVERVIEW

About the Project

Setting New Standards: Rewriting the Charleston Zoning Code is an ambitious effort to rewrite the City's Zoning Ordinance. The Zoning Ordinance governs how people can develop and use their land throughout the City. While the existing ordinance has served the City well, the community has identified new development goals in the recently adopted *City Plan*, and is facing increasing challenges from rising water. One of the key goals of the project is to develop an elevation-based zoning code that addresses the impact of the rising water environment on land use in the City and helps the City meet the development goals established in the *City Plan*.

Process Overview

The Setting New Standards project launched last year. We are currently completing Task 2 of the project, the **Code Assessment**. The Code Assessment is available on the website and is summarized on these boards. It provides a diagnosis of the existing Zoning Ordinance, and makes recommendations for a new Development Code.



Key Themes of the Code Assessment

Theme 1: Make the Rewritten Development Code More User-Friendly and Streamlined

Theme 2: Update the Zone District and Use Regulations to Simplify the Regulations, Enhance Resilience, and Improve Development Form in Key Corridors

Theme 3: Modify the Zoning Framework and Improve Development Practices to Make the City More Resilient to a Rising Water Environment

Theme 4: Update Regulations to Encourage a More Diverse Array of Housing Types and Incentivize Affordable Housing

Theme 5: Modernize, Consolidate, and Make the Development Standards Consistent with the Policy Direction in the *City Plan*







USER-FRIENDLINESS & STREAMLINING

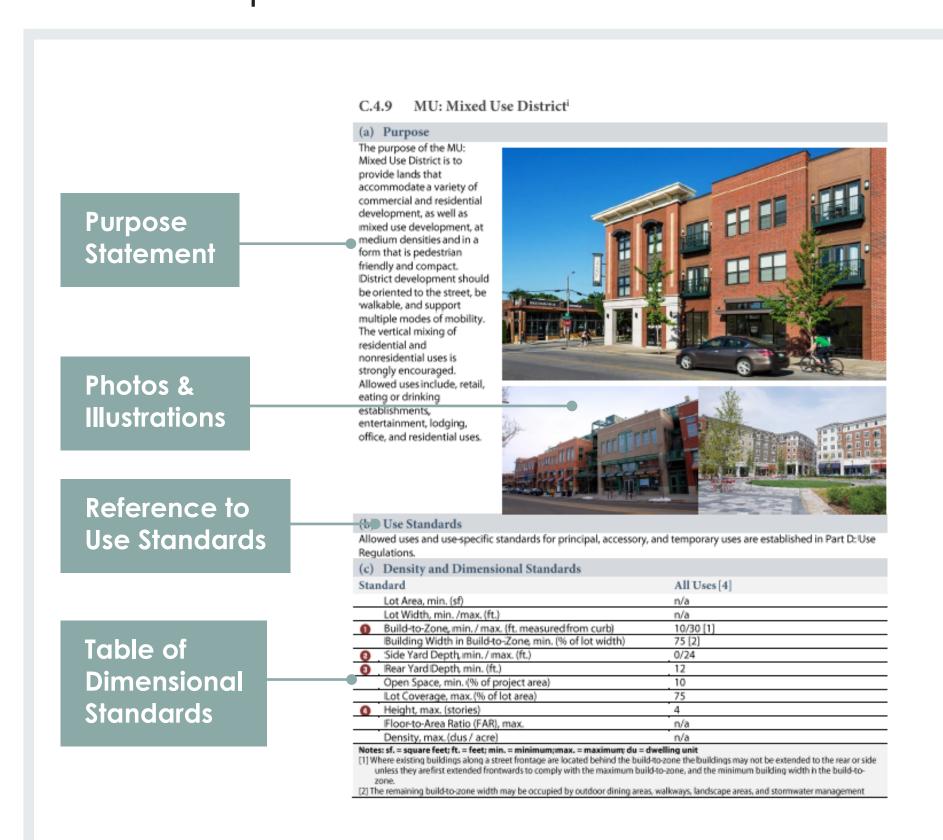
The current Zoning Ordinance is lengthy and poorly organized. The Code Assessment recommends that the regulations be rewritten so that they are easier to understand, with a more logical organization, clear language, illustrations, and updated and clarified administrative procedures.

Update Document Structure, Design, and Language

- Updated, more logical structure and design (see example to the right)
- Use many more graphics, illustrations and tables
- Use clear, precise, language throughout the code

Updated and Streamlined Review Procedures

- Consolidate all procedures into one article—Article 2: Administration
- Create summary table of procedures (see illustration to the right)
- Enhance notification procedures
- Update Planned Development procedure
- Add formal procedure for Zoning Ordinance interpretations



Tab	le II-2:	Propo	osed D	evelop	ment	Revie	w Proc	cedure	es es			
D = Decision R = Review/Recommendation A = Appeal <> = Public Hearing												
Procedures	City Council	Planning Commission	Board of Zoning Appeals - Zoning	Board of Zoning Appeals - Site Design	Board of Architectural Review - Large	Board of Architectural Review - Small	Design Review Board	Technical Review Committee	Plat Review Committee	Planning Director	Zoning Administrator	Preservation & Urban Design Division
Discretionary Reviews												
Annexation and Initial Zoning (NEW)	D									R	R	
Comprehensive Plan Map Amendment (NEW)	<d></d>	<r></r>								R		
Urban Growth Boundary Amendment (NEW)	<d></d>	<r></r>								R		
Special Exception			<d></d>	<d></d>							R	
Zoning Map Amendment (Rezoning)	<d></d>	<r></r>							1		R	
Planned Development (PD) Map Amendment	<d></d>	<r></r>						R			R	
Development Code Text Amendment	<d></d>	<r></r>									R	
Architectural Review for Old &	Historic	Distric	t and C	ld City	District							
Certificate of Appropriateness (BAR-Large) [2]												
Demolition (BAR-Large)					<d></d>							R

Applicable to residential development that is part of a mixed use development

Off-Street Parking, Bicycle

oriented, high quality mixed-use development in appropriate locations within the Borough. The district can be used to

layout from another code.

encourage and shape new types of development in locations outside of the downtown that the Borough currently consider underutilized, particularly in nodal locations aroundkey intersections. Form and design standards will apply to this district to

Highlights of zone district page

Diagram with

Labels Linked

Reference

Applicable

Standards

to Other

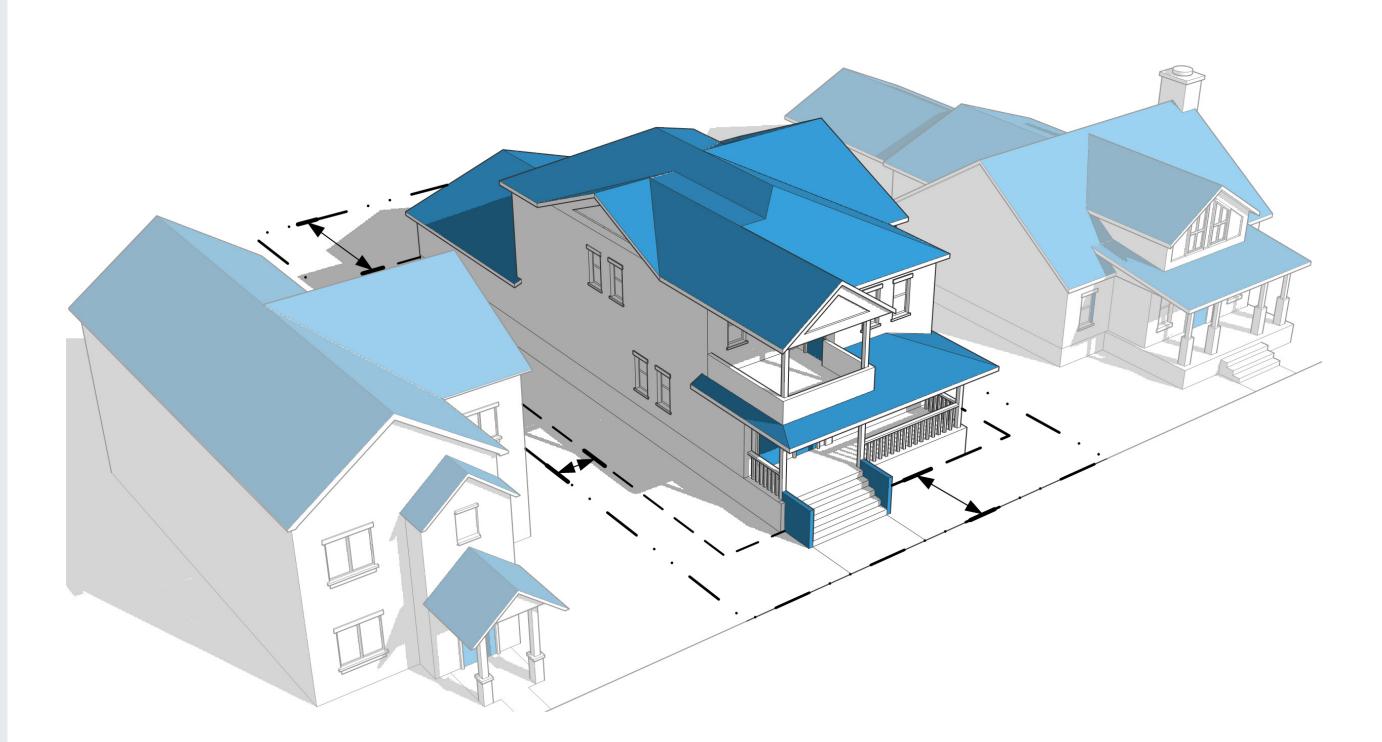
Green Building

Green Building Incentives

Subdivision and Land

to Table

Sample illustrations and tables from other codes



Example of an illustration that identifies dimensional standards that apply to a single-family home building type on an interior lot

Table 7.3.2-A Base and NNA-O		P = Permitted C = Conditional use						A = Accessory to primary use T = Temporary use																			
District Use Table		R = Allowed							pursuant to regulating plan																		
				Re	esic	lent	tial			2		l I	Vlix	ed-	Use)		In	ıdu	S.	Sp	ес	P.	NI	VA-	0	
Zone District →								Low	Med.	High															ı		Use-
Land Use ↓	4	R-E	R-19	R-16	R-2	R-4	R-5	R-Flex	R-Flex	R-Flex	OR	N-XM	T-XM	M-XM	T-XIVI	I-XM	FBZ	ВР	_	ß	APD	ЫF	PK	South	Central	North	Specific Standards
RESIDENTIAL USES																											
Household Living																											
Dwelling, Single-family Detached	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	Р	Р	С	С				С					Р			
Dwelling, Two-family (duplex)					Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	О	Р	R		С					Р			
Dwelling, Single-family Attached					Р	Р	Р	Р	Р	Р		Р	Р	Р	Р	Р	R		0					Р	Р	Р	
Dwelling, Multi-family						Р	Р		Р	Р	С	С	Р	Ρ	Р	Р	R		С					Р	Р	Р	7.3.301A
Dwelling, Live/Work Unit								Ք	Ք	Ρ	Ρ	Р	Ρ	Ρ	0	Р	R		С			2 ×		Р	ը	Р	
Manufactured Home	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р					R		С		20 W	2 · · · · · ·		Р			
Manufactured Home Park								S	ee	Sub	se	ctio	n 7	.3.3	301	В											7.3.301B
Short Term Rental	Р	Α	Α	Α	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	R		Р					Р	Դ	Р	7.3.301C
Tiny House Community								O	C	C		С	C				R										7.3.301D

Example of a use table that uses color, shading, variation in font sizes, and design to make it easier to use and understand











Key Goals of Proposed Restructuring

- Complete modernization, restructuring, and streamlining of all zone districts; use tables & graphics
- Better support the City's development goals as directed by the City Plan
- Remove unused or redundant districts
- Direct
 development to
 higher elevations
- Allow additional housing options in appropriate locations across the city
- Reduce reliance on Planned Unit Development zoning

PROPOSED ZONE DISTRICT UPDATES

The Assessment proposes revisions to the zone district lineup with a goal of directing new development towards higher elevations, increasing the resilience of development at lower elevations, and better supporting more housing options and mixed-use development. One key recommendation is that a separate set of zone districts be established on the Lower Peninsula to better support the area's historic context.

Separate Residential and Mixed-Use Zone Districts for Lower Peninsula and Remainder of City

Having two sets of zone districts would better support the City's development and redevelopment goals by recognizing the historic development patterns on the Lower Peninsula, and limiting the need for variances and other adjustments. District-specific standards would be better adapted to different development contexts throughout the city, while other districts (such as Institutional districts) would apply throughout the City.

Lower Peninsula Zone Districts

- Use contextual development standards, which would require development to meet the existing fabric of development in historic areas of the City on the Lower Peninsula
- Duplexes would be allowed in more areas (LP-RL district).
- Potential for allowing modest commercial uses in residential districts, especially at intersections
- Simplification of commercial/ mixed-use districts

CURRENT DISTRICT	PROPOSED DISTRICT
RESIDENTIAL DISTRICTS	
SR-3	LP-SFR: Lower Peninsula–Single Family Residential
SR-4, SR-5, STR	LP-RL: Lower Peninsula–Residential Low
DR-1, DR-1F	LP-RM: Lower Peninsula–Residential Medium Density
DR-2, DR-2F	LP-RH: Lower Peninsula–Residential High Density
MIXED-USE DISTRICTS	
CT: Commercial Transitional	DELETE (rezone to LP-CL)
LB: Limited Business	LP-CL: Lower Peninsula—Commercial Limited
GB: General Business	LP-CG: Lower Peninsula— Commercial General

Zone Districts in Remainder of City

- Consistent naming structure
- Allow additional housing options in certain residential districts
- Continue to establish dimensional standards (unlike new Lower Peninsula districts)
- Streamlined lineup
- Simplification of commercial/ mixed-use districts

CURRENT DISTRICT	PROPOSED DISTRICT
RESIDENTIAL DISTRICTS	
RR-1	DELETE
SR-7	RSF-1: Residential Single Family-1
SR-8	RSF-2.5: Residential Single Family-2.5
SR-1	RSF-4: Residential Single Family-4
SR-2, SR-3, SR-4, SR-6, STR, DR-6, DR-9	RM-L: Residential Mixed Low
DR-12	RM-M: Residential Mixed Medium
DR-1, DR-1F, DR-2, DR-2F	RM-H: Residential Mixed High
DR-4	DELETE
MIXED-USE DISTRICTS	
RO: Residential Office	OR: Office Residential
GO: General Office	DELETE
CT: Commercial Transitional	DELETE (rezone to CL)
LB: Limited Business	CL: Commercial Limited
GB: General Business	CG: Commercial General
BP: Business Park	DELETE or BP: Business Park







Planned Development District

- Issues with current Planned Unit Development (PUD) district: Used too frequently, increases development cost, reduces predictability of Zoning Ordinance
- New Ordinance proposed to include updated base zone districts that support attainable and desired development
- In addition, new Planned Development district with increased standards for approval

PROPOSED ZONE DISTRICT UPDATES (CONTINUED)

Overlay Districts

- Proposed streamlining of existing lengthy set of overlay districts
- Retain overlay districts
 that address historic areas
 of City and the City's
 status as a major tourist
 destination
- Delete other overlay districts with standards that can be addressed through general development standards or other regulations

CURRENT DISTRICT	PROPOSED DISTRICT								
OVERLAY DISTRICTS TO BE CARRIED FORWARD									
A: Accommodation	IL: Industrial Light								
FR: Folly Road	FRO-O: Folly Road Overlay								
STR: Short Term Rental	STR-O: Short Term Rental Overlay								
Old City District	OCD-O: Old City District Overlay								
Old and Historic District	ODH-O: Old and Historic District Overlay								
Old City Height Districts	HD-O-#: Height District Overlay #								
OVERIAY DISTRICTS RECOM	MENDED TO BE DELETED								

Old City Height Districts	HD-O-#: Height District Overlay #
OVERLAY DISTRICTS RECOMME	NDED TO BE DELETED
DRD: Design Review District	DELETE or DRD-O: Design Review District Overlay
LMK: Landmark	DELETE or LMK-O: Landmark Overlay
SPD: Special Parking Overlay Zone	DELETE
AR: Amusement and Recreation Service	DELETE
GBLN/LILN: General Business/ Light Industrial Late Night	DELETE
JI: Johns Island	DELETE
S: School	DELETE
TB: Tour Boat	DELETE
TC: Tech Corridor	DELETE
G: Gateway	DELETE
Dupont Wappo Planning Area and DuWap Overlay Zone	DELETE

Other Districts

- Other districts in the current Zoning Ordinance are generally carried forward, with some name changes
- New Institutional districts support specific types of public and quasi-public uses

CURRENT DISTRICT	PROPOSED DISTRICT
INDUSTRIAL, INSTITUTIONAL, AN	ID PD DISTRICTS
LI: Light Industrial	IL: Industrial Light
HI: Heavy Industrial	IH: Industrial Heavy
[New district]	INST-S: Institutional School <u>New</u>
[New district]	INST-PQ: Institutional Public/Quasi- Public <u>New</u>
PUD: Planned Unit Development	PD: Planned Development

Legacy Districts

- "Legacy" districts are districts will not be applied to properties in the future, but properties currently zoned for these districts can continue to develop under the existing standards
- These districts will be placed in the Appendix of the new Development Code

PROPOSED LEGACY DISTRICTS	
LCY: Legacy Cainhoy District	LMU-1: Legacy Mixed Use 1
LDR-3: Legacy Diverse Residential-3	LMU-1/WH: Legacy Mixed Use 1 Workforce Housing
LGP: Legacy Gathering Place	LMU-2: Legacy Mixed Use 2
LUC: Legacy Urban Commercial	LMU-2/WH: Legacy Mixed Use 2 Workforce Housing
CW-PUD	DI-PUD
HW-PUD	









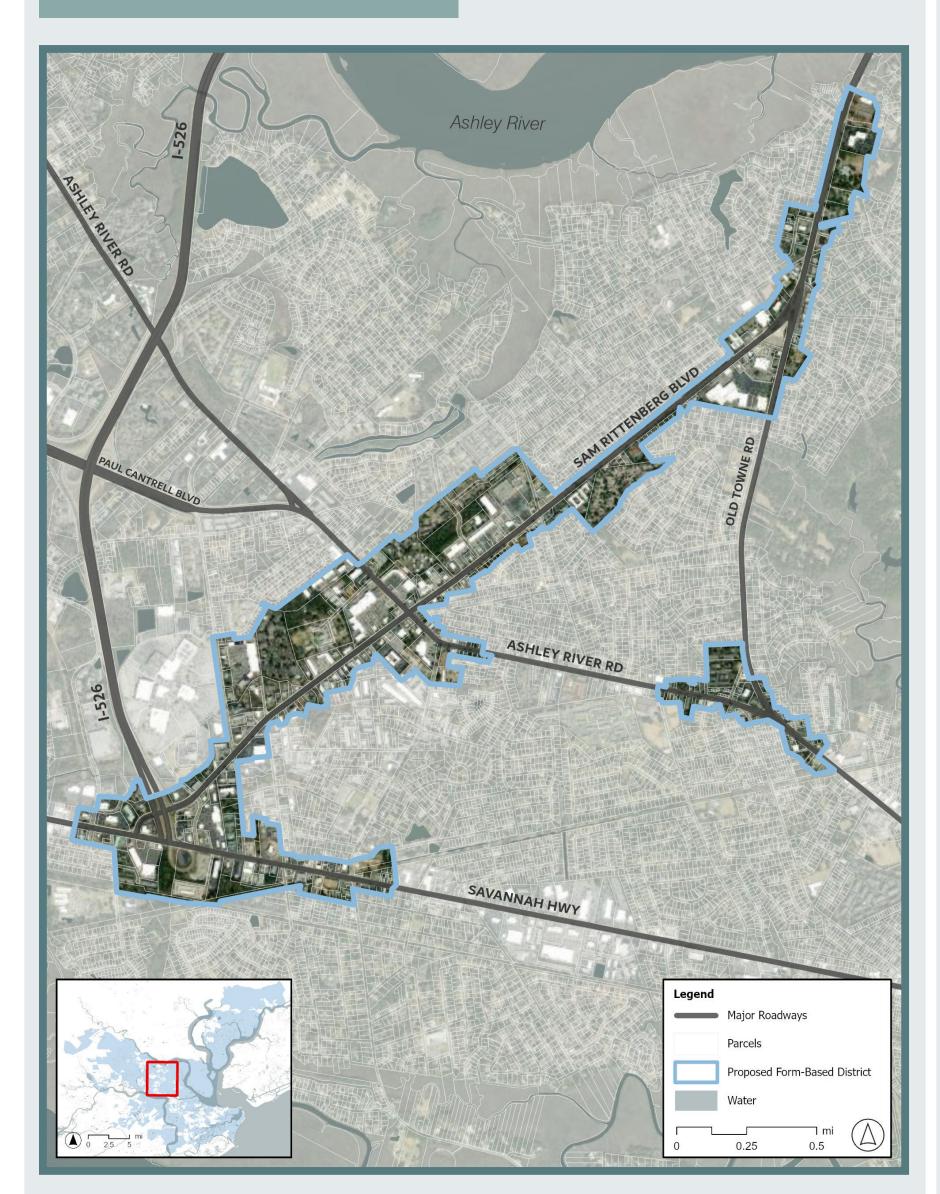


PROPOSED FORM-BASED DISTRICTS

About Form-Based Districts

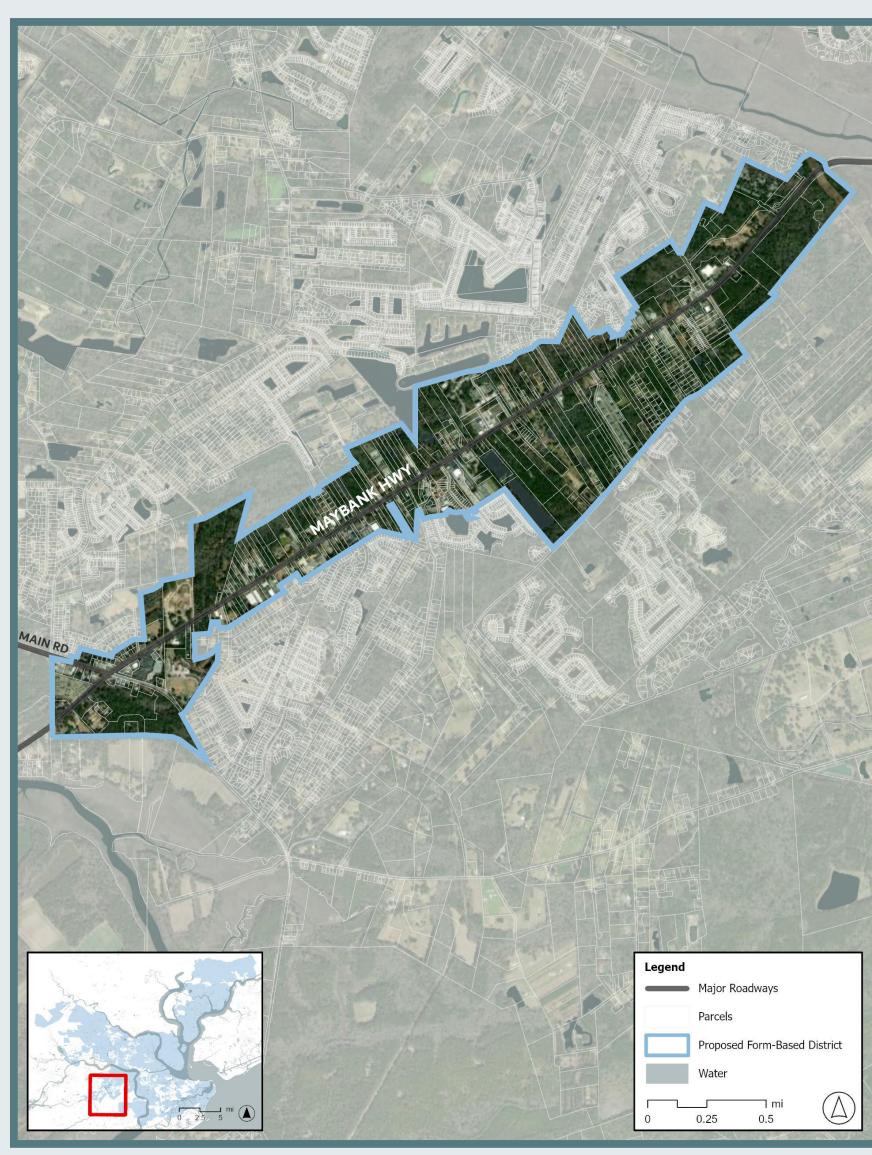
Form-based districts are an approach to zoning that prioritize context and urban form over land uses. Form-based districts include standards that regulate fundamental development form, such as height, setbacks, and massing, as well as more detailed building and site design standards. The Code Assessment suggests that the City consider developing form-based regulations for **two areas** in the City, and identified the following three study areas for public comment. The Code Assessment contains additional information about the criteria used to select these areas.

West Ashley



Portions of this area, including sections of Sam Rittenberg Boulevard, Ashley River Road, and Savannah Highway, were studied as part of *Plan West Ashley*, and it includes the West Ashley Redevelopment Area TIF District.

Johns Island

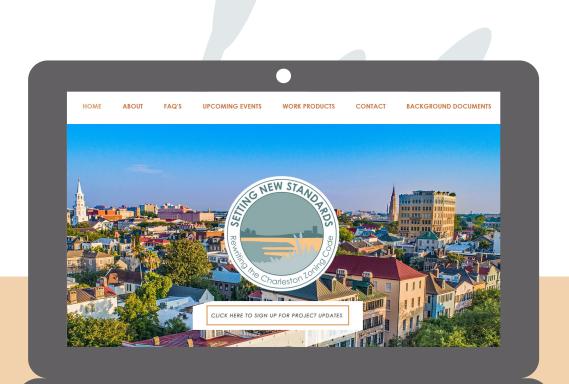


This stretch of Maybank Highway is a key corridor in one of the fastest growing areas of the City, and includes three nodes identified in the City Plan as City Center where the most intensive development is anticipated.

James Island



Folly Road and the identified portions of Maybank Highway constitute the highest elevations on James Island and have been identified for multimodal improvements in the Rethink Folly Road plan.







RESILIENCE CONTEXT

Over the past decades, rising water levels have resulted in increased tidal flooding in Charleston, and this flooding is projected to continue and increase in frequency. The City Plan estimates 36 inches of sea level rise by 2080, which will make flooding more frequent at lower elevations, and put higher elevations at greater risk of flooding. Flooding disrupts many aspects of everyday life in Charleston and can be dangerous for both people and property. For these and other reasons, resilience is a core principle in the City Plan that is integrated into the Code Assessment.

Land and Water Analysis

The City Plan Land and Water Analysis (2020) identified four elevation zones in the City, shown on the right, and four different strategies for addressing development at different elevations and flood risks:

- Grow: Areas to focus new development and increased densities at **High Ground**.
- **Defend:** Focus on protection of buildings and infrastructure with engineered measures. Implemented on land in the **Adapt Zone**, land that may in the future be in the

HIGH GROUND

High ground is defined as land outside of the FEMA 100 year floodplain and above the NOAA max category 3 storm surge. High ground has the lowest flood risk and stormwater detention here has the greatest watershed benefit.

ADAPT 70NF

The adapt zone consists of land outside of the FEMA 100 year floodplain that is still within the NOAA maximum storm surge of a category 3 hurricane. Rain and storm surge flooding in this zone is infrequent but not impossible.

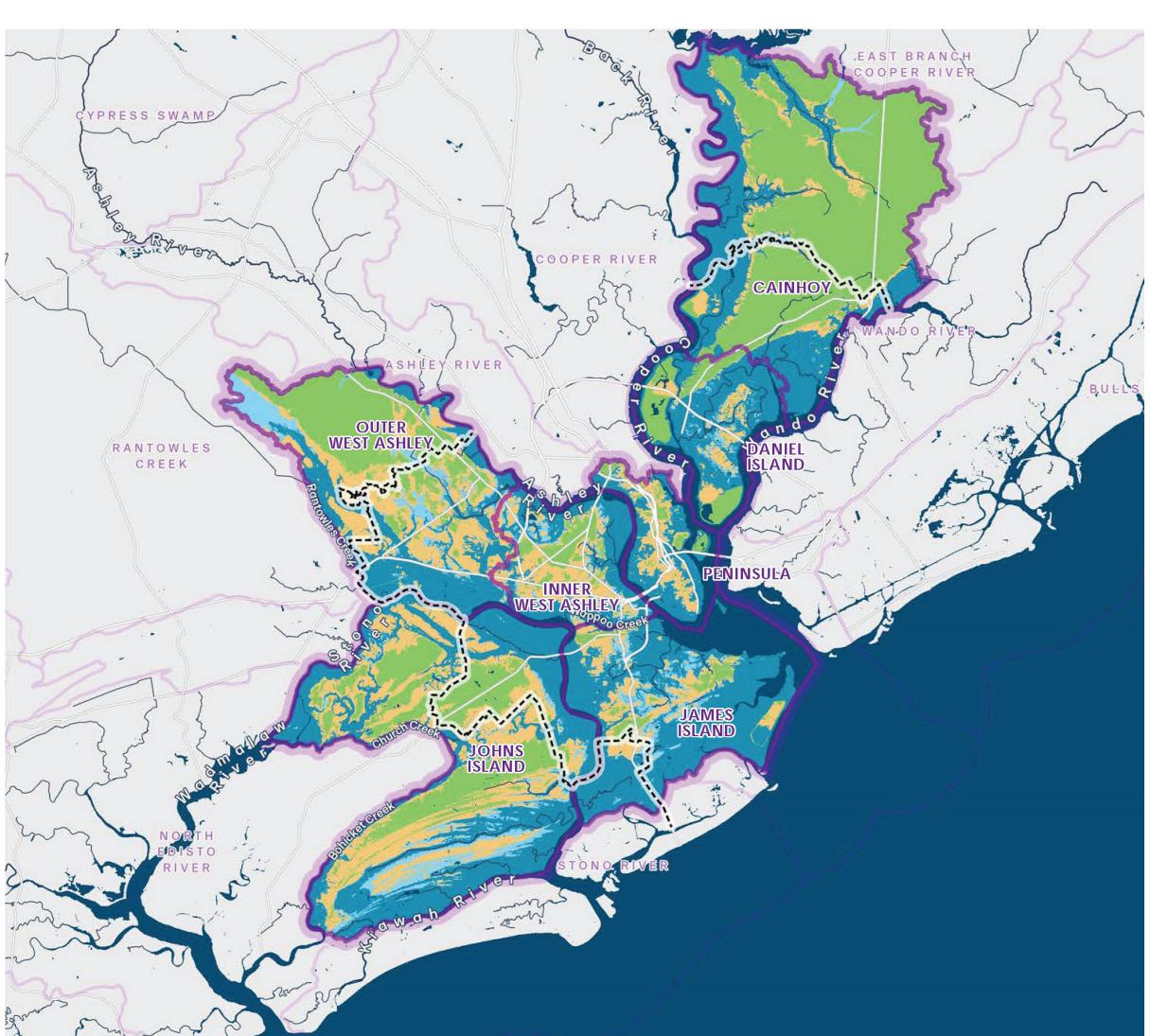
COMPOUND FLOOD RISK

This zone encompasses areas within the floodplain above the tidal flood risk zone where flood risk comes from a mixture of rainfall, runoff and tidal conditions.

TIDAL FLOOD RISK ZONE

This zone encompasses the lowest land in Charleston. Nearly 100% of this zone is in the 100 year floodplain. Flooding is frequent and can come solely from tidal events independent of precipitation. Sea level rise driven marsh migration occurs in this dynamic zone.



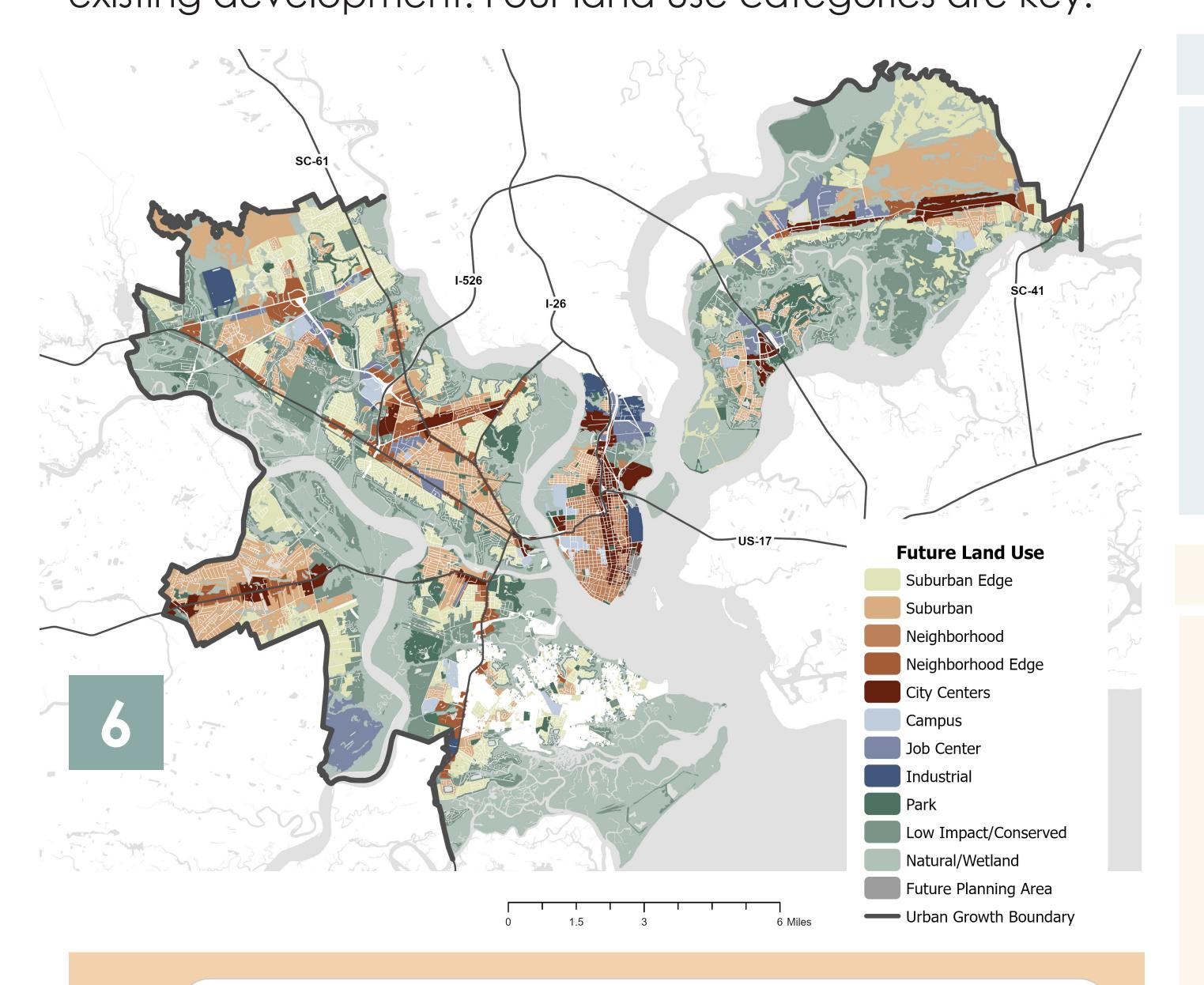


Compound Flood Risk Zone, and some land in the Tidal Flood Risk Zone that is already developed.

- Adapt: Retrofitting vulnerable existing infrastructure to be resilient to water risks. Applies in all elevation zones.
- **Reserve:** Actions to preserve natural systems. Applies in all elevation zones.

City Plan Direction

The City Plan establishes 12 land use categories based on the four elevation zones, the four key strategies, and existing development. Four land use categories are key.



HIGHEST INTENSITY

City Center

Applies to **High Ground** area and accommodates a mix of uses at the highest intensities in the City.

Neighborhood Edge

Also applied to **High Ground** areas; used for neighborhood-serving commercial and residential uses at moderate densities

LOWEST INTENSITY

Low Impact/Conserved

Applied to land at the highest risk of flooding, mostly in the **Tidal Flood Risk Zone**.

Natural/Wetland

Applied to land like marsh, wetlands, small waterbodies, and other land that cannot be developed.





Recent City Effort to Enhance Development Resilience

- Prohibit slab-ongrad foundations in the 100-year floodplain and in Special Flood Hazard Areas (SFHA)
- Require new construction/substantial improvements in SFHAs to be at least 2 feet above the Base Flood Elevation.
- Strengthened stormwater regulations
- Updated Flood Insurance Rate Maps
- Upper Peninsula district incentive system

RESILIENCE STRATEGIES

To address the rising water environment, the City has taken several important steps to increase the resilience of new development. The Code Assessment recommends two further sets of changes—updates to the zone districts to allow more intense and dense mixed-use development at lands at higher elevations with lower flood risk, and a new Resilience Index to increase development resilience in areas at higher risk of flooding.

Zone District Updates to Enhance Resilience

- LI district that can be applied to limit development in areas at highest risk of flooding in the Natural/Wetland and Low Impact/Conserved Future Land Use categories, through reducing allowed uses, flexibility provisions to enhance natural systems, and limit build-back after casualty damage
- RM-H: Residential Mixed-High, CL: Commercial Limited, and Form-Based districts that allow for higher density and intensity of development in the City Center and Neighborhood Edge Future Land Use categories.

Establish a Resilience Index for New Development in Appropriate Locations

The Code Assessment recommends that the rewritten Development Code include a Resilience Index for new development. The Resilience Index would be based on a point-based menu of resilient development practice options that would make the development more resilient to a rising water environment. An

	TABLE 5.12.6: RESILIENT POINT SYSTEM FOR DEVELOPMENT	RESIDENTIAL
	Resilient Development Activity	Points Earned
	Component 1: Risk Reduction	
	Construct building to meet 110-mile wind load design requirements of the VUSBC	2.00
١	Elevate the ground story finished floor and all significant electrical and mechanical equipment no less than 3 feet above highest adjacent grade	1.00, plus 0.50 per ft. above 3 ft.
	Construct an impact-resistant (hail, tree damage) roof	0.50
	Install impact (hurricane or wind) resistant windows	0.50
	Install operable storm shutters	0.50
	Establish operating procedures for how the project will handle loss of off-site or grid power, transition to a backup source of power, and transition back to normal operation	0.50
	Component 2: Stormwater Manageme	nt
	Install a "green roof" on at least 50 percent of the total roof area (25 percent for renovated buildings) and only plant materials permitted in Section 5.2, Landscaping Standards	2.00
	Install a "green roof" on at least 25 percent of the total roof area and only plant materials permitted in Section 5.2, Landscaping	1.00

example of this approach from another zoning ordinance is shown here.

Standards

The core component of this approach would be a menu of optional development standards that would increase the resilience of development to the effects of rising sea level and future flooding. Each option would include a point value that is based on the 1) additional expense of incorporating the development practice and 2) its benefit to addressing resilience in a rising water environment. The development applicant would have to achieve a **certain minimum total number of points** to comply, as well as a certain **minimum number of points in at least two component areas** to comply. The two component areas are proposed to include:

- **Risk reduction:** Actions to reduce the development from flooding risk, such as through building elevation or integration of a backup power system that could keep a development powered during a grid disruption; and
- Stormwater management: Implementation of stormwater practices that exceed the requirements of the Stormwater Design Standards Manual.







HOUSING OPTIONS AND AFFORDABLE HOUSING

Housing affordability is a growing challenge throughout Charleston; despite City incentive programs, the *City Plan* notes that housing costs have far outstripped income growth over the last decade. The result of these cost increases is that a large number of Charleston residents are "cost burdened" and spend more than 30 percent of their annual gross income on housing.

Key Housing Recommendations from City Plan

- "Strongly encourage and create incentives for a diversity of housing types within neighborhoods citywide, including attached-style housing, such as townhomes, condominiums, flats, duplexes, triplexes and fourplexes and allow by right in more base zoning districts"
- "Expand incentives for affordable housing developments in more base zone districts..."
- "Implement policies and allocate resources to reduce regulatory barriers that hinder development of affordable housing and disproportionately burden lower-income and vulnerable communities..."
- "Create a dedicated funding stream for affordable housing development through zoning and other planning tools"
- "Continue to support creation of senior and affordable senior housing in all areas of the city"

Permit Broader and More Diverse Array of Housing Types

The Code Assessment proposes allowing a broader array of housing types in more areas of the City, including "missing middle" housing types such as:

- Triplexes and Fourplexes
- Mansion apartments
- Live/work units
- Courtyard apartments
- Cottage court home developments

These housing types would be permitted in appropriate zone districts, such as:

- LP-RM and LP-RH (on Lower Peninsula)
- RM-L, RM-M, and RM-H (outside Lower Peninsula)
- CL and LP-CL mixed-use districts
- Form-based districts



Example of a triplex



Example of a fourplex



Example of a cottage court

Strengthen and Calibrate Affordable Housing Incentives

The Code Assessment recommends strengthening the City's affordable housing incentives by:

- Consolidating the different incentives in the current Zoning Ordinance into one section of the rewritten Development Code
- Incorporating best practices and calibrating them based on the economics of development in the City
- Supporting the City's resiliency goals, and encouraging the development of affordable housing in areas less likely to flood such as the City Center, Neighborhood Edge, and Neighborhood Future Land Use categories





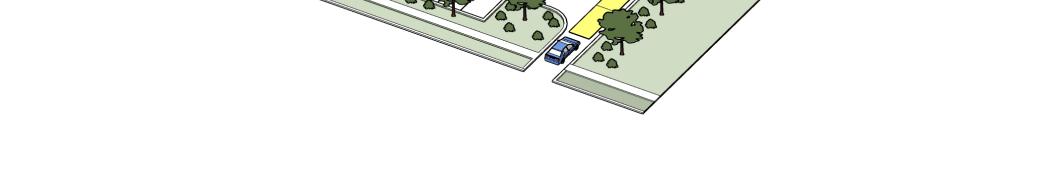


UPDATE AND MODERNIZE DEVELOPMENT STANDARDS

The Assessment recommends modernizing and updating the development standards to improve the quality of development throughout the City. Examples of some of the key recommendations are included below.

Update Parking, Mobility, and Circulation Standards

- Modernize off-street parking and loading standards, moving away from "one-size fits all approach"
- Include bicycle parking standards and minimum requirements in appropriate location
- Prioritize bicycle and pedestrian access in site and building design

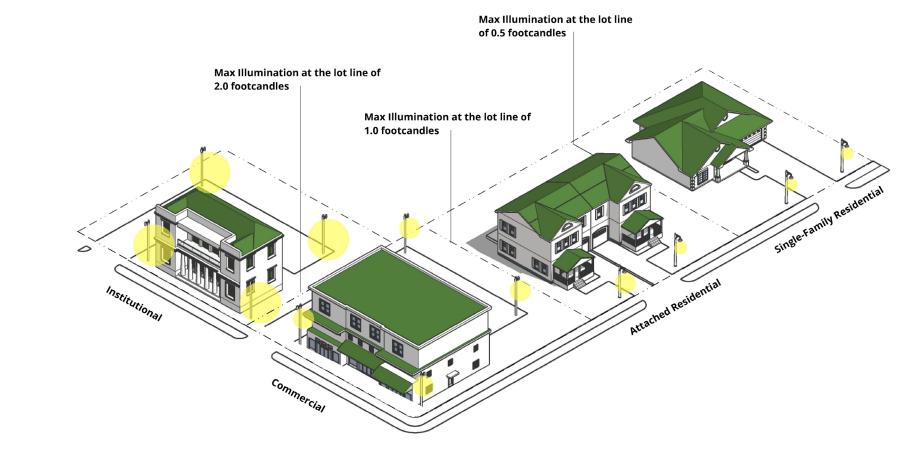


New Neighborhood Compatibility Standards

- Comprehensive update to existing standards to protect residential neighborhoods from incompatible commercial or multifamily development
- New standards could relate to building facades, and dimensional, parking, sign, and open space set-aside standards, among others
- Include bicycle parking standards and minimum requirements in appropriate location
- Prioritize bicycle and pedestrian access in site and building design

New Exterior Lighting Standards

 New standards to avoid excessive lighting and help protect the night sky





Comprehensive Open Space Standards

- Builds upon City's current standards with comprehensive, context-sensitive open space regulations
- Prioritize preservation of environmentally sensitive lands
- Open space must be usable and functional, not "leftover" land

Equity Analysis

Zoning regulations have historically been written and applied to exclude historically disadvantaged or vulnerable groups. Equity in zoning attempts to reduce or reverse these exclusionary elements and address barriers for these impacted communities.

A detailed equity analysis was conducted for this project. This involved a close review of substantive rules with inequitable impacts, development review processes, and zoning map standards.

The results of this analysis are integrated throughout the Code Assessment. Selected recommendations from the analysis include:

- Easing limits on development density in several districts, allowing more housing types in more parts of the city
- Providing notice of development applications to nearby tenants, not just owners
- Enhanced sidewalk and connectivity requirements to improve access for people without automobiles.



