



AGENDA
JOINT CITY COUNCIL AND PLANNING COMMISSION WORKSHOP
TUESDAY, JANUARY 28, 2025 – 5:30 PM
FIRE STATION I - 201 BUTTON HALL BOULEVARD
GOOSE CREEK, SOUTH CAROLINA

I. CALL TO ORDER

II. BUSINESS ITEM(S)

- a. PROPOSED ANNEXATION OF TMS# 235-14-04-030, 235-14-04-036 AND 235-14-04-040 AND TO ASSIGN A ZONING OF FLEXIBLE REVIEW DISTRICT (FRD) FOR SEVERAL PARCELS ALONG NELLO DRIVE (JOINT AGENDA ITEM FOR PLANNING COMMISSION AND CITY COUNCIL)
- b. DISCUSSION OF EVENT CENTER AND CURRENT CITY HALL RENOVATION PROJECT
- c. DISCUSSION REGARDING AMENDING THE CURRENT BERKELEY COUNTY - CITY OF GOOSE CREEK INTERGOVERNMENTAL AGREEMENT - ACCEPTANCE OF ROADS FOR MAINTENANCE

III. ADJOURN



Request for City Council Agenda Item

To: MAYOR AND CITY COUNCIL

From: KENDRA WISE, PLANNING AND ZONING DIRECTOR

Please check one box

☐ Regular Meeting

☐ Special Meeting

☒ Work Session

Please check one box, if applicable

☐ Ordinance

☐ Resolution

☐ Proclamation

☐ Request to
Purchase

Ordinance/Resolution Title

PROPOSED ANNEXATION OF TMS# 235-14-04-030, 235-14-04-036 AND 235-14-04-040 AND TO ASSIGN A ZONING OF FLEXIBLE REVIEW DISTRICT (FRD) FOR SEVERAL PARCELS ALONG NELLO DRIVE (JOINT AGENDA ITEM FOR PLANNING COMMISSION AND CITY COUNCIL)

Background Summary

The applicant seeks to annex and to assign zoning of Flexible Review District (FRD) to three parcels located along Nello Drive. The purpose of the FRD is to promote innovative residential design and development, often utilized in in-fill projects and newly annexed parcels, wherein specific land use designations may be in transition. Flexibility and creativity in the design, character and quality of the development is made possible through the development and approval of a detailed plan, which describes the specific uses, densities, landscaping, open space, conservation, and other requirements for development. Substantial flexibility is provided, with an expectation that development quality will surpass what is otherwise achievable through other zoning districts. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

The applicant has submitted a Preliminary Development Plan, Natural Resource Inventory, and Statement of Intent along with supporting documents. In addition, the description of the Flexible Review District and vicinity zoning maps are also provided for review.

Financial Impact

Impact if denied

Impact if approved

Department Head:

City Administrator:

Signature & Date

Signature & Date

FRD: Flexible Review District

(1) Purpose

The purpose of the FRD is to promote innovative residential design and development, often utilized in in-fill projects and newly annexed parcels, wherein specific land use designations may be in transition. Flexibility and creativity in the design, character and quality of the development is made possible through the development and approval of a detailed plan, which describes the specific uses, densities, landscaping, open space, conservation, and other requirements for development. Substantial flexibility is provided, with an expectation that development quality will surpass what is otherwise achievable through other zoning districts. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

(2) Intensity and Dimensional Standards

Standard	Requirements
Lot Area, min. (acres)	N/A
Lot Width, min. (ft.)	
Impervious Surface Ratio, max. (%)	To be established in the approved development document
Density, max. (du/acre)	
Intensity, max. (sf)	
Front Yard Setback, min. (ft.)	
Side Yard Setback, min. (ft.)	
Rear Yard Setback, min. (ft.)	
Building Height, max. (ft.)	
Other intensity and dimensional standards	

(3) General Provisions for Flexible Review District (FRD) Zoning Districts.

Flexible Review District (FRD) Zoning Districts are intended to:

- (a)** Support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and provision of public services.
- (b)** Reduce the inflexibility of zoning district standards that sometimes results from strict application of the base district regulations, and development standards established in this Ordinance.
- (c)** Allow greater freedom and flexibility in selecting:
 - (1)** The form and design of development;
 - (2)** The ways by which pedestrians, cyclists, and vehicular traffic circulate;
 - (3)** How the development will be located and designed to respect the natural features of the land and the protect the environment;
 - (4)** How design amenities are to be applied; and
 - (5)** The location and integration of open space and civic space into the development.
- (d)** Preserve natural and scenic features.
- (e)** Allow more efficient use of land, with smaller networks of streets and utilities.
- (f)** Provide pedestrian connection within the site, and to the public right-of-way.
- (g)** Encourage the provision of centrally-located open space amenities on the site.
- (h)** Promote development forms and patterns that respect the character of established surrounding neighborhoods and/or other types of land uses.
- (i)** Promote development form that respects and takes advantage of a site's natural and man-made features, such as rivers, lakes, wetlands, floodplains, trees, and historic resources.

(4) Development Standards.

The standards set forth in Chapter 151 and Chapter 153, shall serve as a development guide for the FRD. However, variations are permitted. Applicants shall discuss variations with Staff prior to submitting their rezoning application.

(5) Application Process and Preliminary Development Plans.

A pre-application conference is required with Staff prior to submittal. Applications for a FRD shall be by amendment to the official zoning map in accordance with the zoning code and shall include the following:

- (a)** Preliminary Development Plan — The applicant shall submit one printed site plan and one electronic site plan which shall include the following:
 - (1)** A boundary survey with vicinity map, title block, scale, and north arrow.
 - (2)** Total number of acres of overall site.
 - (3)** Location and number of acres of various areas by type of use (eg, single family, duplex, townhome, etc.)
 - (4)** Number of units and density of various residential types, such number to represent the maximum number of units and to include setbacks.
 - (5)** Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.

- (6) Primary traffic circulation pattern, including major points of ingress and egress.
 - (7) Approximate number and location of parking spaces per use.
 - (8) An indication that an acceptable drainage system can be designed for the proposed project.
 - (9) Any such information or descriptions as may be deemed reasonably appropriate for review.
- (b) Natural Resources Inventory — The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant natural, historical and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:
 - (1) Land cover type (i.e., wooded, pasture, wetland etc.) indicating the wood line or boundary line between wooded and non-wooded areas of the site.
 - (2) Topographic contour lines at 4-foot intervals.
 - (3) Stream and floodplain information.
- (c) Statement of Intent — The applicant shall submit one paper copy and one electronic copy of a report setting forth the characteristics of the proposed FRD including the following:
 - (1) A description of the procedures of any proposed homeowner's association or other group maintenance agreement.
 - (2) A statement setting forth the proposed development schedule.
 - (3) A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.
 - (4) A statement of impact on public facilities including water, sewer collection and treatment, fire protection etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.
 - (5) A statement describing and/or renderings or photographs of the architectural style, appearance and orientation of proposed buildings.
 - (6) A statement describing the buffers, landscaping, and screening of proposed project.
 - (7) A statement describing the maintenance and screening of any proposed pond, lake, or storm water management facility contained in the development.
 - (8) A statement describing pedestrian access and circulation throughout the project.
 - (9) A project contact statement with/from Berkeley County School District.
 - (10) Any such information or descriptions as may be deemed reasonably appropriate for review.
- (d) A joint City Council and Planning Commission workshop shall be required to review the development plan and provide comments ahead of the public hearing.
- (e) A public hearing shall be held in accordance with procedures set forth in Chapter 151.
- (f) The Planning Commission shall make a recommendation upon the proposed development which shall be advisory to City Council.

- (g) The City Council may, after fulfilling all applicable requirements of this section and all applicable requirements, act to either approve, approve with modification or disapprove the application for a FRD.
- (h) Approval of a Concept Plan shall constitute authority for the applicant to prepare a Final Development Plan. All Final Development Plans in the FRD will require a site plan review and approval by Staff.

(6) Final Development Plan.

No building permit or certificate of occupancy shall be issued in a FRD until all regulatory approvals have been provided, based on prior review of the Planning Commission and City Council, and there is recorded a Final Development Plan (FDP) meeting the requirements of this section. One reproducible copy of the FDP setting forth specific design characteristics of the Development in accordance with the approved Preliminary Development Plan shall be submitted to the Planning Director and shall include but not be limited to the following information:

- (a) Vicinity map, title block, scale, north arrow, and property line survey.
- (b) Location and proposed use of all buildings or structures within the development and gross square footage.
- (c) Names of boundary streets.
- (d) Number of residential dwelling units by type and number of bedroom units in each.
- (e) Location of any utility easements.
- (f) Total floor area for all nonresidential uses by type.
- (g) Open space areas, specifying the proposed treatment or improvements of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
- (h) All off-street parking and loading areas, structures, the total number of spaces, and the dimensions.
- (i) The number of acres devoted to each land use.
- (j) Sketches and/or elevations of typical buildings/structures and their design standards.
- (k) The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.
- (l) The site's lighting plan, including the location, height, and type of all exterior fixtures.
- (m) The site's Landscape, Screening/Buffer Plan.
- (n) The site's Signage Plan, which includes all exterior signage of the development.
- (o) Yard dimensions from the development boundaries and adjacent streets.
- (p) A letter or permit from Berkeley County stating that a detailed drainage plan has been submitted and approved.
- (q) Other such information or descriptions as may be deemed reasonably appropriate for review.

(7) Staff Action.

Staff may approve or disapprove the Final Development Plan submitted by the applicant. In reviewing the Final Development Plan, Staff may require any such design modifications as necessary to assure compliance with the approved Preliminary Development Plan. In the event that Staff finds that the Final Development Plan is not in accordance with the approved Preliminary Development Plan, it shall disapprove the final plan.

(8) Recording of Final Development Plan and Statement of Intent.

Following approval of the Final Development Plan by Staff, it is the responsibility of the applicant to ensure that one copy of the Final Development Plan and Statement of Intent is recorded in the Register of Deeds of Berkeley County; one copy of both documents is filed with the Planning Director.

(9) Subdivision Plats.

Approval of a Final Development Plan shall constitute authority for the applicant to submit subdivision plats, if applicable, in accordance with procedures set forth in the City of Goose Creek Zoning and Land Development regulations.

(10) Changes to FRD.

Changes to a proposed FRD or to an approved FRD may be permitted in accordance with one of the following procedures as determined by the Planning Director:

- (a)** Minor—Changes to a FRD which are of a design nature and which do not alter the original concept or use characteristics of the FRD may be approved by the Planning Director, provided no minor change may be approved which is in conflict with specific conceptual considerations previously contained in City Council's preliminary approval.
- (b)** Major Changes—Changes to a FRD which would alter the basic concept and general characteristics of the development may be approved by City Council in accordance with the procedures that originally established the district. Examples of major changes include, but are not limited to the following: boundary changes, changes in the maximum number of structures or residential units, increased density, substantial changes to residential housing type, use changes, access changes, etc.

(11) Failure to Begin, Complete or Make Adequate Progress.

The descriptive statement as approved by City Council and duly recorded shall set forth the development schedule for the project including phasing of the development. City Council may require the posting of a bond with a corporate surety to guarantee that the schedule as set forth in the descriptive statement will be materially adhered to in order to guarantee construction of streets, utilities, and other facilities and amenities or to allow for rectification of improper development characteristics such as failure to develop areas designated as common open spaces. If there is failure to begin, or failure to complete, or failure to make adequate progress as agreed in the descriptive statement, the City Council may enforce and collect upon such bonds or sureties as described above, or may change the district classification of the development, and thus terminate the right of the applicant to continue development, or may initiate action to charge the developers with specific violation of the Zoning Ordinance or any appropriate combination of the above remedies may be taken.



Property Boundary

PRODUCT IS FOR PLANNING/
INFORMATIONAL PURPOSES
ONLY. ALL INFORMATION
SHOULD ALWAYS BE VALIDATED
WITH THE CITY BEFORE TAKING
ANY OFFICIAL ACTIONS

TMS: 2351404036

TMS: 2351404030

TMS: 2351404040

ELROD DR

NELLO DR

FARM QUARTERS DR

DOGWOOD
HILL
DR

WATER OAK



0 100 200 400 Feet

1 inch = 200 feet



**CREEK
COMPASS**
City of Goose Creek

City of Goose Creek GIS Department
519 N. Goose Creek Boulevard
Goose Creek, SC 29445
(843) 797 - 6220 Ext. 1132

TMS: 2351404036, 2351404030,
2351404040

Vicinity Map

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Property Boundary

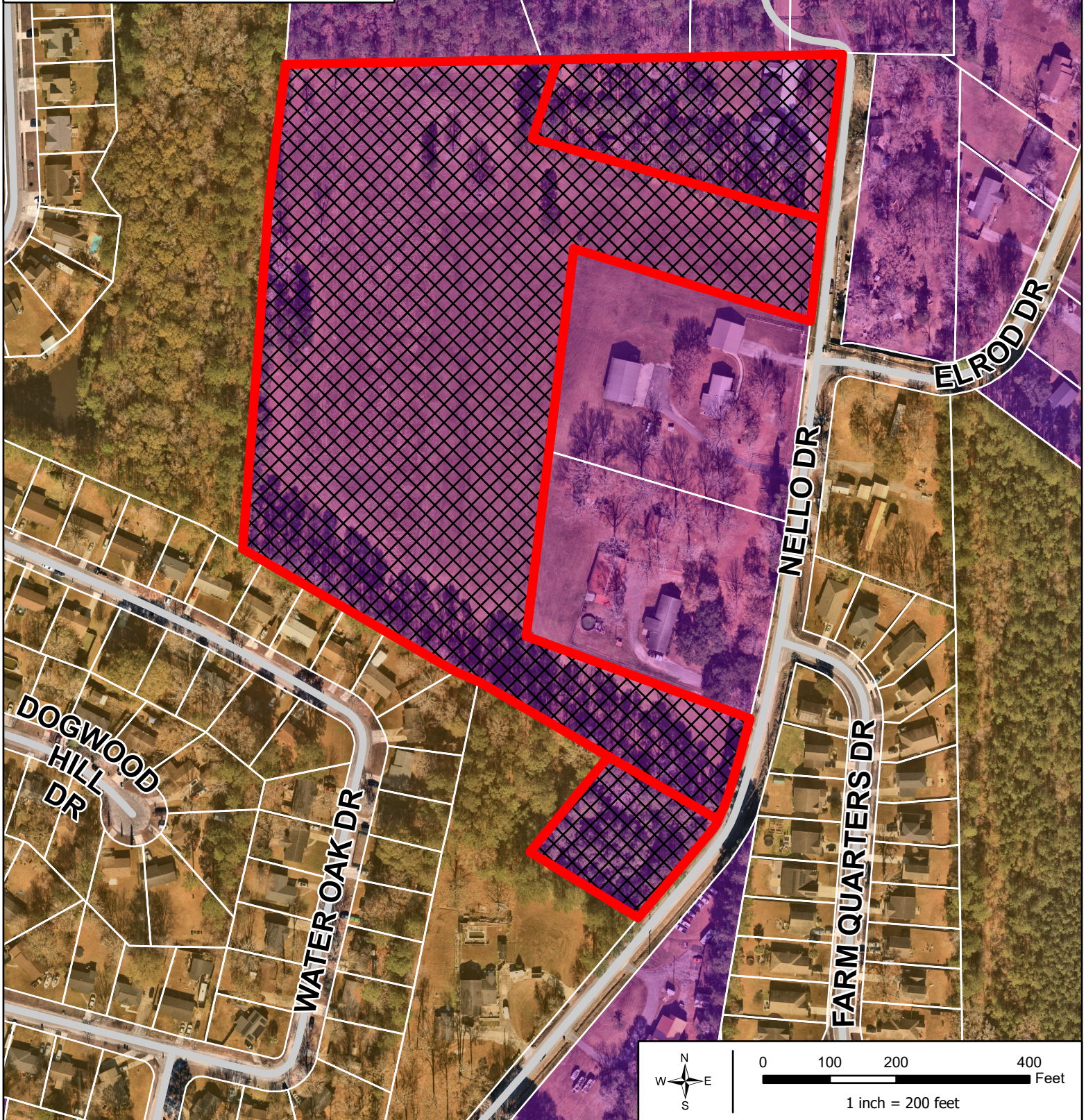


Goose Creek Zoning



Berkeley County Zoning

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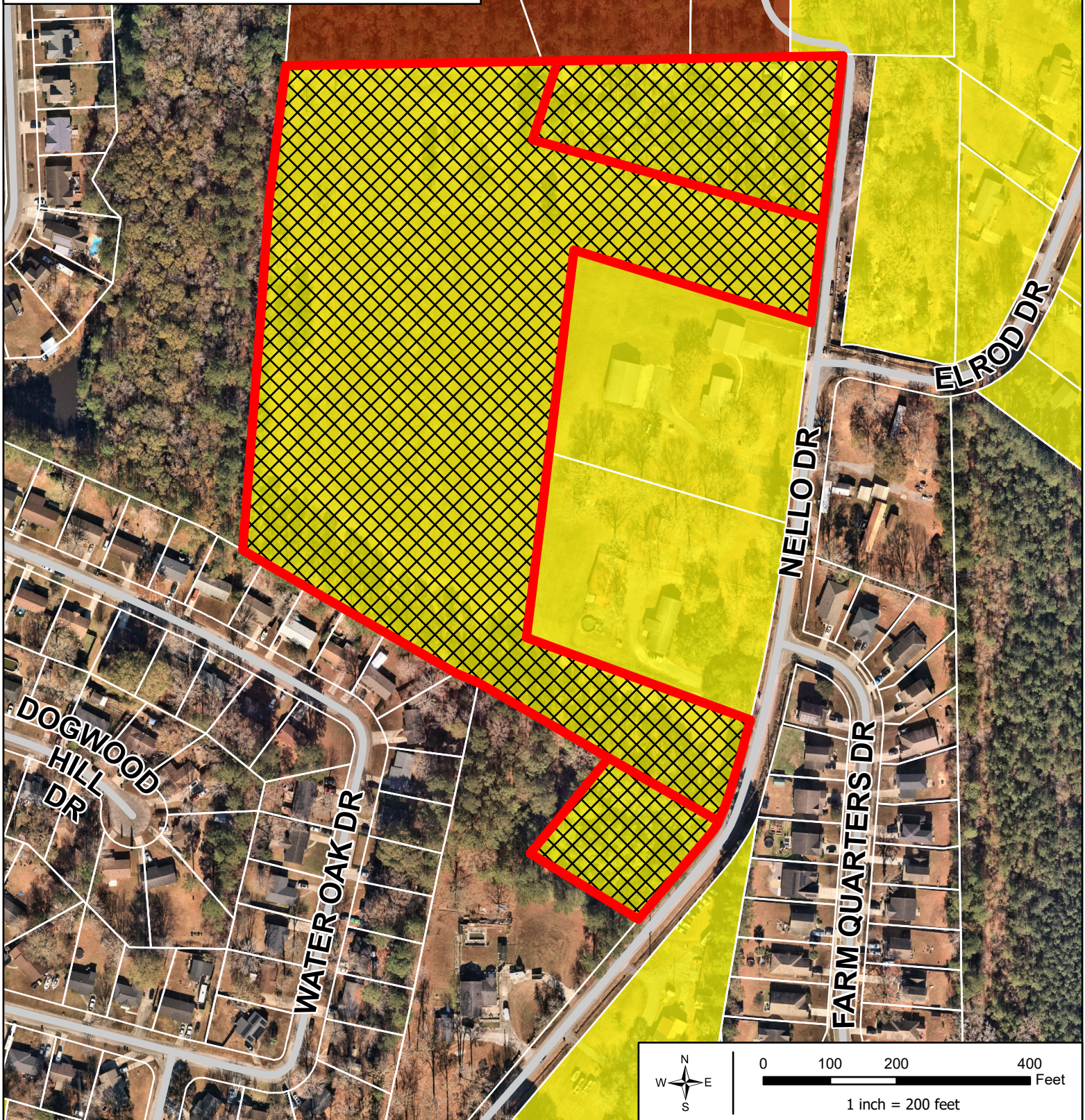
TMS: 2351404036, 2351404030,
2351404040

Zoning Map

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-  Property Boundary
-  R1 (Single Family Residential)
-  R2 (Manufactured Residential)

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TMS: 2351404036, 2351404030,
2351404040

Berkeley County Zoning

11



Property Boundary



C (Conservation)

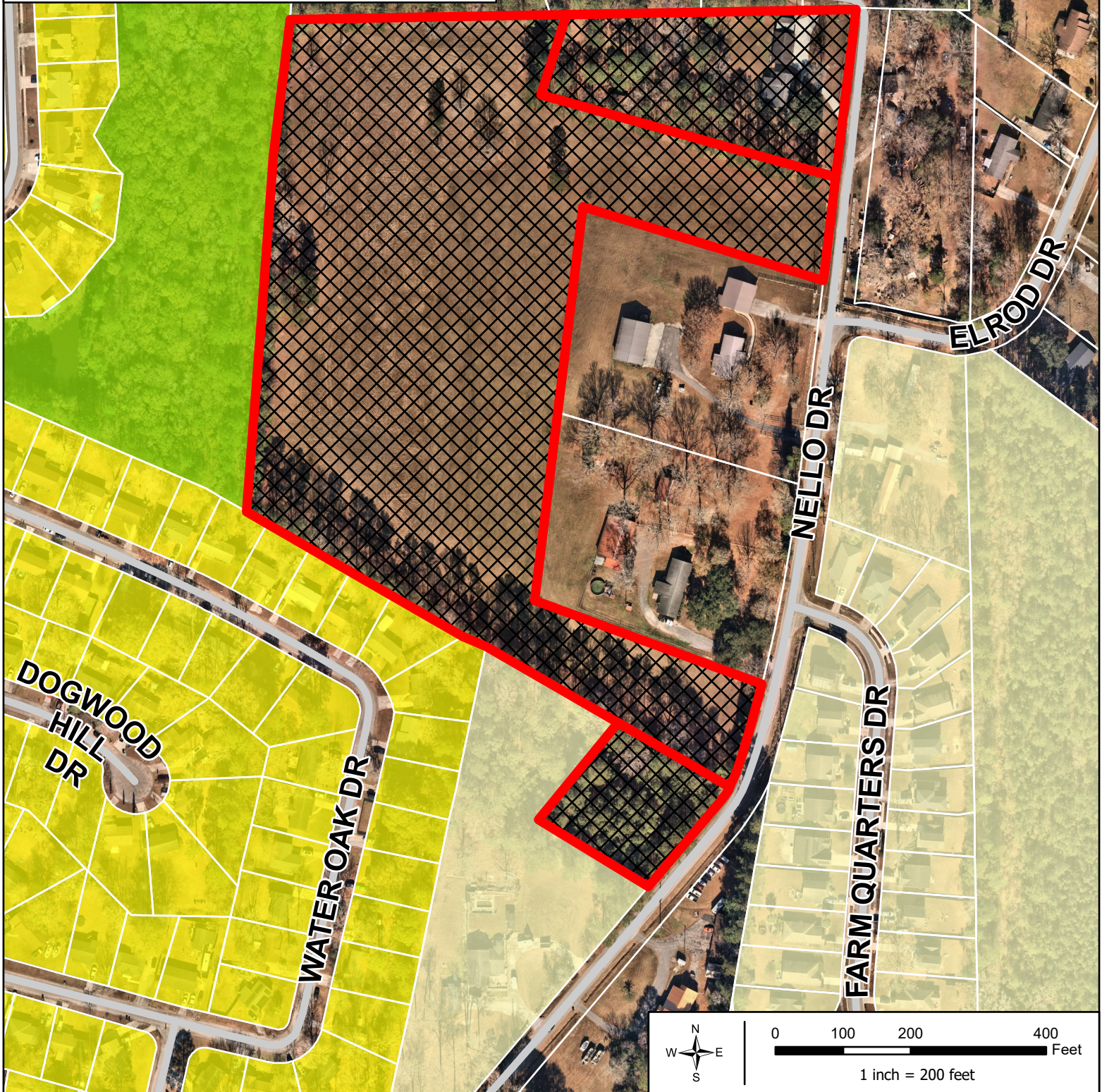


RSF (Residential Single Family)



RM (Residential Mixed-Use)

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TMS: 2351404036, 2351404030,
2351404040

Goose Creek Zoning



Property Boundary



Conservation/Recreation

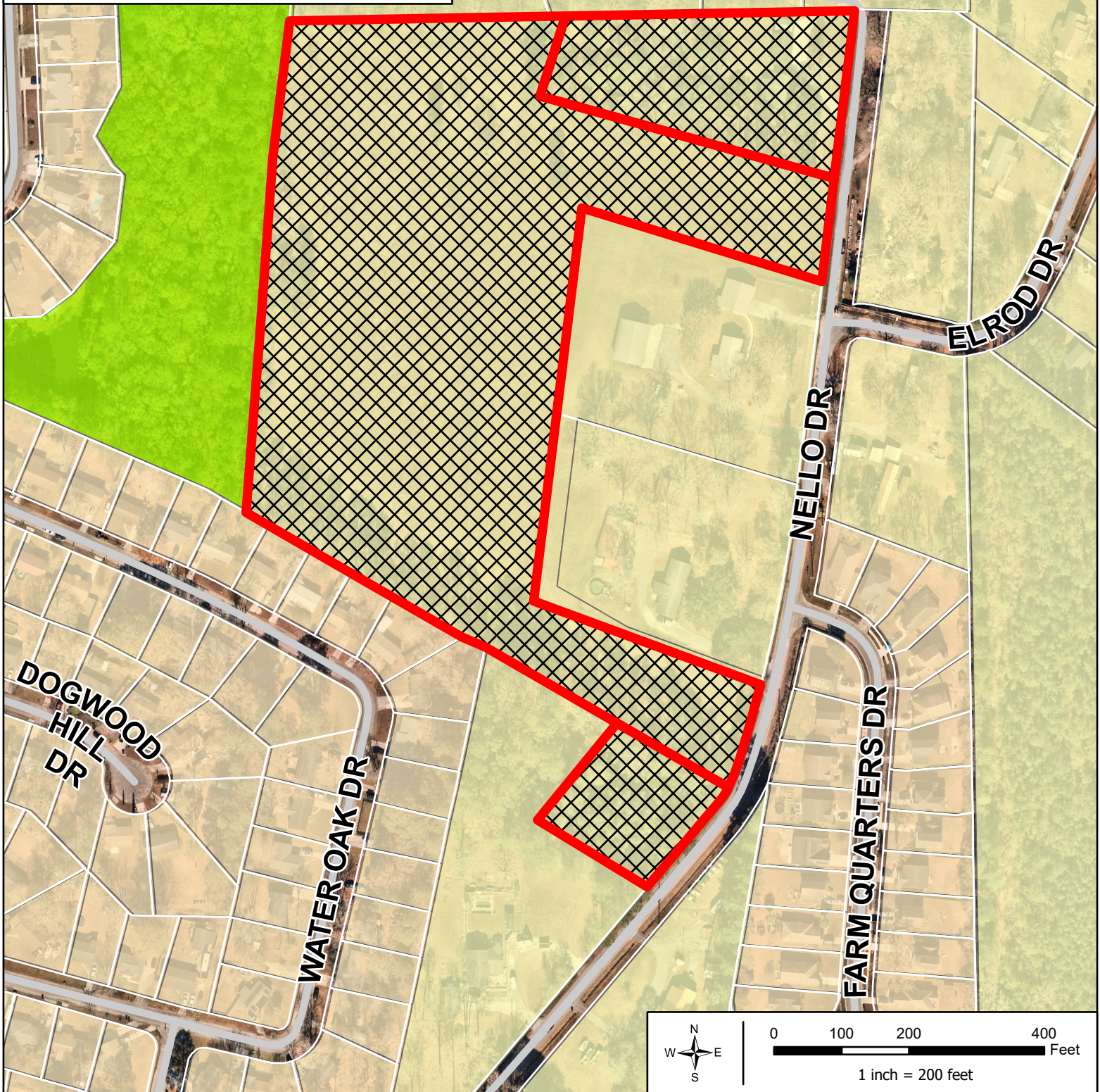


Low-Density Residential



Medium-Density Residential

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TMS: 2351404036, 2351404030,
2351404040

Future Land Use Map

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LOW-DENSITY RESIDENTIAL



Overview

Low-density residential areas will be developed in both new areas and existing neighborhoods that provide a sense of community. Development will be located where it can be served efficiently by infrastructure, facilities and services, and transportation networks. All development activity will be designed to mitigate adverse impacts on any historic, cultural, and/or natural resources.

Land Uses and Development Types

- Single-family residential detached housing on medium-sized lots (≥ 0.25 acre)
- Neighborhood parks smaller than 5 acres
- Neighborhood-level amenities and recreation
- Neighborhood-level civic and institutional uses (schools, churches, etc.)
- Planned communities and subdivisions housing on larger lots.

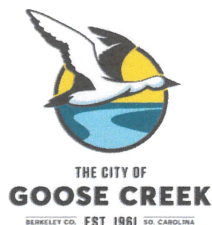
Implementation Measures

- Review of architectural and site design standards to encourage better-quality development
- Encourage smart growth and traditional neighborhood development principles, where appropriate
- Complaint-based code enforcement
- Traffic calming, where necessary
- Local streets that connect to collector streets
- Pedestrian amenities such as connected sidewalks and trails
- SUD development

Appropriate Zoning Districts

- RSP Residential Single-Family District





Flexible Review District Application

Today's Date November 20, 2024

Please complete and return to planning-zoning@cityofgoosecreek.com

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Checklist for All Applications

A complete flexible review district application shall include the following information. Please initial to signify that the requested information has been provided or is not necessary.

	Applicant Initials	Staff Initials
A completed and signed Application, Checklist, and Agent Waiver (if applicable)		KCW
Supplemental documents as may be required		KCW
Payment of the required fee		KCW

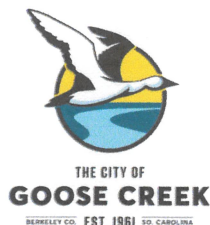
Date Received (MM/DD/YYYY): 01 / 03 / 2025 For staff use only

By: Kendra C. White

519 N. Goose Creek Blvd. P.O. Drawer 1768 Goose Creek, S.C. 29445 843-797-6220

www.cityofgoosecreek.com

Effective Date: 9/23/2024



Flexible Review District Application

1. Applicant Information

Name <i>Robert Chamberlain Chesnut Jr</i>	
Company (if applicable) <i>RCC Properties LLC</i>	
Address (Street, City, State, Zip) <i>183 3rd Avenue Charleston SC 29403</i>	
Phone <i>843-518-2027</i>	Email <i>chesnutr@gmail.com</i>

2. Property Information

Address (including Suite/Unit/Space number, as appropriate) <i>159 Nello Drive or TMS numbers</i>	
Tax Map Reference Number(s) <i>235-14-04-030</i>	
Tenant/Business Name <i>_____</i>	Current size of property (in acres) <i>10.83</i>

3. Property Ownership

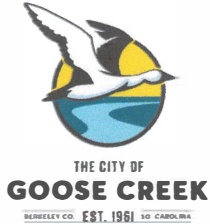
Does the applicant own the property? ☐ Yes ☒ No

If the applicant does not own the property, complete the **Agent Waiver** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.

4. Property Status

Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Pursuant to S.C. Code § 6-29-1630, is this tract or parcel located within any federal military installation overlay zone, within 3,000 feet of a federal military installation, or within the 3,000-foot Clear Zone or Accident Potential Zone of a federal military airfield? If yes, please note scheduling may be delayed due to notice requirements. ☐ Yes ☒ No



Flexible Review District Application

5. Development Standards and Application Process

The standards set forth in Chapter 151 and Chapter 153 shall serve as a development guide for the FRD. However, variations are permitted. Applicants shall discuss variations with Staff prior to submitting their rezoning application.

A pre-application conference is required with Staff prior to submittal.

Date of applicants' pre-application conference: (MM/DD/YYYY) 11 / 20 / 2024

Correct Date: 12/13/2024 (KCW)

6. Intensity and Dimensional Standards

The applicant shall establish each standard listed below in the development document:

Standard	Applicant Signature	Staff Signature
Lot Area, min. (sqft)	<u>RA</u>	KCW
Lot Width, min. (ft.)	<u>RA</u>	KCW
Impervious Surface Ratio, max. (%)	<u>RA</u>	KCW
Density, max. (du/acre)	<u>RA</u>	KCW
Intensity, max. (sf)	<u>RA</u>	KCW
Front Yard Setback, min. (ft.)	<u>RA</u>	KCW
Side Yard Setback, min. (ft.)	<u>RA</u>	KCW
Rear Yard Setback, min. (ft.)	<u>RA</u>	KCW
Building Height, max. (ft.)	<u>RA</u>	KCW
Other intensity and dimensional standards	<u>RA</u>	KCW

7. Preliminary Development Plan

The applicant shall submit one printed site plan and one electronic site plan which shall include the following:

Standard	Applicant Signature	Staff Signature
A boundary survey with vicinity map, title block, scale, and north arrow.	<u>RA</u>	KCW
Total number of acres of overall site.	<u>RA</u>	KCW
Location and number of acres of various areas by type of use (eg, single family duplex, town home, etc.)	<u>RA</u>	KCW
Number of units and density of various residential types, such number to represent the maximum number of units and to include setbacks.	<u>RA</u>	KCW
Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.	<u>RA</u>	KCW
Primary traffic circulation pattern, including major points of ingress and egress.	<u>RA</u>	KCW
Approximate number and location of parking spaces per use.	<u>RA</u>	KCW
An indication that an acceptable drainage system can be designed for the proposed project.	<u>RA</u>	KCW
Any such information or descriptions as may be deemed reasonably appropriate for review.	<u>RA</u>	KCW



Flexible Review District Application

8. Natural Resources Inventory

The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant natural, historical and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:

Standard	Applicant Signature	Staff Signature
Land cover type (i.e., wooded, pasture, wetland etc.) indicating the wood line or boundary line between wooded and non-wooded areas of the site.	BCC	KCW
Topographic contour lines at 4-foot intervals.	BCC	KCW
Stream and floodplain information.	BCC	KCW

9. Statement of Intent

The applicant shall submit one paper copy and one electronic copy of a report setting forth the characteristics of the proposed FRD including the following:

Standard	Applicant Signature	Staff Signature
A description of the procedures of any proposed homeowner's association or other group maintenance agreement.	BCC	KCW
A statement setting forth the proposed development schedule.	BCC	KCW
A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.	BCC	KCW
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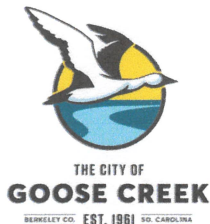


Flexible Review District Application

10. Signature

I affirm that the information submitted is correct and complete. I understand that any inconsistencies may cause a delay in the review or scheduling of the application and that incomplete applications may be returned. If any significant changes are made to the Preliminary Development Plan or Statement of Intent that is exceeding Staff's comments, and that significantly alter the basic concept and general characteristic of the proposed development, the requested rezoning application will be Administratively Withdrawn to allow Staff adequate time to review the revised submittal.

Signature of Applicant <i>R. Chamberlain</i>	
Print Name <i>Robert Chamberlain Chesnut Jr</i>	Date <i>11/10/2024</i>



Flexible Review District Application

Agent Waiver

If the applicant is not the property owner, complete the Agent Waiver for **each property owner of each parcel included in this application**. Use multiple sheets if necessary.

Agent Waiver

I hereby designate Robert Chamberlain Chertel to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: David L. Brown

Signature: David L. Brown

Person Completing this Application: Robert Chamberlain Chertel

Signature of Person Completing this Application: [Signature]

Agent Waiver

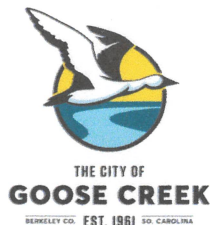
I hereby designate _____ to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: _____

Signature: _____

Person Completing this Application: _____

Signature of Person Completing this Application: _____



Flexible Review District Application

Today's Date _____

Please complete and return to planning-zoning@cityofgoosecreek.com

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A completed and signed Application, Checklist, and Agent Waiver (if applicable)		KCW
Supplemental documents as may be required		KCW
Payment of the required fee		KCW

Date Received (MM/DD/YYYY): 01 / 03 / 2025 ^{For staff use only} By: Kendra C. White

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Effective Date: 9/23/2024



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Name Robert Chamberlain Chesnut	
Company (if applicable) RCC Properties LLC	
Address (Street, City, State, Zip) 183 3rd Avenue Charleston SC 29403	
Phone 843-518-2027	Email chesnutr@gmail.com

2. Property Information

Address (including Suite/Unit/Space number, as appropriate) 213 Nello Drive	
Tax Map Reference Number(s) 2351404036	
Tenant/Business Name /	Current size of property (in acres) 1.86

3. Property Ownership

Does the applicant own the property? ☐ Yes ☒ No

If the applicant does not own the property, complete the **Agent Waiver** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.

4. Property Status

Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

Pursuant to S.C. Code § 6-29-1630, is this tract or parcel located within any federal military installation overlay zone, within 3,000 feet of a federal military installation, or within the 3,000-foot Clear Zone or Accident Potential Zone of a federal military airfield? If yes, please note scheduling may be delayed due to notice requirements. ☐ Yes ☒ No



Flexible Review District Application

5. Development Standards and Application Process

The standards set forth in Chapter 151 and Chapter 153 shall serve as a development guide for the FRD. However, variations are permitted. Applicants shall discuss variations with Staff prior to submitting their rezoning application.

A pre-application conference is required with Staff prior to submittal.

Date of applicants' pre-application conference: (MM/DD/YYYY) 11 / 26 / 2024

Correct Date: 12/13/2024 (KCW)

6. Intensity and Dimensional Standards

The applicant shall establish each standard listed below in the development document:

Standard	Applicant Signature	Staff Signature
Lot Area, min. (sqft)	Ra	KCW
Lot Width, min. (ft.)	Ra	KCW
Impervious Surface Ratio, max. (%)	Ra	KCW
Density, max. (du/acre)	Ra	KCW
Intensity, max. (sf)	Ra	KCW
Front Yard Setback, min. (ft.)	Ra	KCW
Side Yard Setback, min. (ft.)	Ra	KCW
Rear Yard Setback, min. (ft.)	Ra	KCW
Building Height, max. (ft.)	Ra	KCW
Other intensity and dimensional standards	Ra	KCW

7. Preliminary Development Plan

The applicant shall submit one printed site plan and one electronic site plan which shall include the following:

Standard	Applicant Signature	Staff Signature
A boundary survey with vicinity map, title block, scale, and north arrow.	Ra	KCW
Total number of acres of overall site.	Ra	KCW
Location and number of acres of various areas by type of use (eg, single family duplex, town home, etc.)	Ra	KCW
Number of units and density of various residential types, such number to represent the maximum number of units and to include setbacks.	Ra	KCW
Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.	Ra	KCW
Primary traffic circulation pattern, including major points of ingress and egress.	Ra	KCW
Approximate number and location of parking spaces per use.	Ra	KCW
An indication that an acceptable drainage system can be designed for the proposed project.	Ra	KCW
Any such information or descriptions as may be deemed reasonably appropriate for review.	Ra	KCW



Flexible Review District Application

8. Natural Resources Inventory

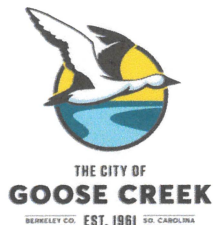
The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant natural, historical and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:

Standard	Applicant Signature	Staff Signature
Land cover type (i.e., wooded, pasture, wetland etc.) indicating the wood line or boundary line between wooded and non-wooded areas of the site.	Rq	KCW
Topographic contour lines at 4-foot intervals.	Rq	KCW
Stream and floodplain information.	Rq	KCW

9. Statement of Intent

The applicant shall submit one paper copy and one electronic copy of a report setting forth the characteristics of the proposed FRD including the following:

Standard	Applicant Signature	Staff Signature
A description of the procedures of any proposed homeowner's association or other group maintenance agreement.	Rq	KCW
A statement setting forth the proposed development schedule.	Rq	KCW
A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.	Rq	KCW
A statement of impact on public facilities including water, sewer collection and treatment, fire protection etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.	Rq	KCW
A statement describing and/or renderings or photographs of the architectural style, appearance and orientation of proposed buildings.	Rq	KCW
A statement describing the buffers, landscaping, and screening of proposed project.	Rq	KCW
A statement describing the maintenance and screening of any proposed pond, lake, or storm water management facility contained in the development.	Rq	KCW
A statement describing pedestrian access and circulation throughout the project.	Rq	KCW
A project contact statement with/from Berkeley County School District.	Rq	KCW
Any such information or descriptions as may be deemed reasonably appropriate for review.	Rq	KCW



Flexible Review District Application

10. Signature

I affirm that the information submitted is correct and complete. I understand that any inconsistencies may cause a delay in the review or scheduling of the application and that incomplete applications may be returned. If any significant changes are made to the Preliminary Development Plan or Statement of Intent that is exceeding Staff's comments, and that significantly alter the basic concept and general characteristic of the proposed development, the requested rezoning application will be Administratively Withdrawn to allow Staff adequate time to review the revised submittal.

Signature of Applicant		<i>Robert Chamberlain Chesnut</i>
Print Name	<i>Robert Chamberlain Chesnut</i>	Date <i>11/26/2024</i>



Flexible Review District Application

Agent Waiver

If the applicant is not the property owner, complete the Agent Waiver for **each property owner of each parcel included in this application**. Use multiple sheets if necessary.

Agent Waiver

I hereby designate Chambellan Chant to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: GERALD LINCOLN

Signature: Gerald Lincoln

Person Completing this Application: Chambellan Chant

Signature of Person Completing this Application: [Signature]

Agent Waiver

I hereby designate _____ to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meetings regarding this application.

Print Name: _____

Signature: _____

Person Completing this Application: _____

Signature of Person Completing this Application: _____



Flexible Review District Application

Today's Date November 20, 2024

Please complete and return to planning-zoning@cityofgoosecreek.com

The purpose of the FRD is to promote innovative residential design and development, often utilized in in-fill projects and newly annexed parcels, wherein specific land use designations may be in transition. Flexibility and creativity in the design, character and quality of the development is made possible through the development and approval of a detailed plan, which describes the specific uses, densities, landscaping, open space, conservation, and other requirements for development. Substantial flexibility is provided, with an exception that development quality will surpass what is otherwise achievable through other zoning districts. It is recognizable that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

Checklist for All Applications

A complete flexible review district application shall include the following information. Please initial to signify that the requested information has been provided or is not necessary.

	Applicant Initials	Staff Initials
A completed and signed Application, Checklist, and Agent Waiver (if applicable)		KCW
Supplemental documents as may be required		KCW
Payment of the required fee		KCW

Date Received (MM/DD/YYYY): <u>01 / 03 / 2025</u>		For staff use only By: <u>Kendra C. Wili</u>
---	--	---



Flexible Review District Application

1. Applicant Information

Name <u>Robert Chamberlain Chesnut Jr</u>	
Company (if applicable) <u>RCC Properties LLC</u>	
Address (Street, City, State, Zip) <u>183 3rd Avenue Charleston, SC 29403</u>	
Phone <u>843-518-2027</u>	Email <u>Chesnutr@gmail.com</u>

2. Property Information

Address (including Suite/Unit/Space number, as appropriate) <u>129 Nello Drive</u>	
Tax Map Reference Number(s) <u>2351404040</u>	
Tenant/Business Name <u>/</u>	Current size of property (in acres) <u>0.82 acres</u>

3. Property Ownership

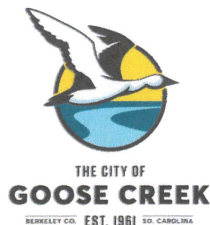
Does the applicant own the property? ☒ Yes ☐ No

If the applicant does not own the property, complete the **Agent Waiver** for each property owner that authorizes the applicant to submit this application on the property owner's behalf.

4. Property Status

Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? ☐ Yes ☒ No

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Flexible Review District Application

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The standards set forth in Chapter 151 and Chapter 153 shall serve as a development guide for the FRD. However, variations are permitted. Applicants shall discuss variations with Staff prior to submitting their rezoning application.

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Date of applicants' pre-application conference: (MM/DD/YYYY) 11 / 26 / 2024

Correct Date: 12/13/2024 (KCW)

6. Intensity and Dimensional Standards

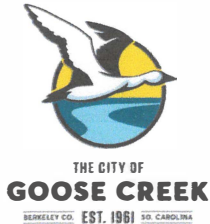
The applicant shall establish each standard listed below in the development document:

Standard	Applicant Signature	Staff Signature
Lot Area, min. (sqft)	<u>RC</u>	KCW
Lot Width, min. (ft.)	<u>RC</u>	KCW
Impervious Surface Ratio, max. (%)	<u>RC</u>	KCW
Density, max. (du/acre)	<u>RC</u>	KCW
Intensity, max. (sf)	<u>RC</u>	KCW
Front Yard Setback, min. (ft.)	<u>RC</u>	KCW
Side Yard Setback, min. (ft.)	<u>RC</u>	KCW
Rear Yard Setback, min. (ft.)	<u>RC</u>	KCW
Building Height, max. (ft.)	<u>RC</u>	KCW
Other intensity and dimensional standards	<u>RC</u>	KCW

7. Preliminary Development Plan

The applicant shall submit one printed site plan and one electronic site plan which shall include the following:

Standard	Applicant Signature	Staff Signature
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Total number of acres of overall site.	<u>RC</u>	KCW
Location and number of acres of various areas by type of use (eg, single family duplex, town home, etc.)	<u>RC</u>	KCW
Number of units and density of various residential types, such number to represent the maximum number of units and to include setbacks.	<u>RC</u>	KCW
Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.	<u>RC</u>	KCW
Primary traffic circulation pattern, including major points of ingress and egress.	<u>RC</u>	KCW
Approximate number and location of parking spaces per use.	<u>RC</u>	KCW
An indication that an acceptable drainage system can be designed for the proposed project.	<u>RC</u>	KCW
Any such information or descriptions as may be deemed reasonably appropriate for review.	<u>RC</u>	KCW



Flexible Review District Application

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The primary objective of the natural resources inventory is to provide better information about the type of land covers, topography and significant natural, historical and cultural features on sites proposed for development. The applicant shall submit a natural resources inventory at the same scale as the preliminary development plan including the following:

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A statement setting forth the proposed development schedule.	Ra	KCW
A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.	Ra	KCW
A statement of impact on public facilities including water, sewer collection and treatment, fire protection etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.	Ra	KCW
A statement describing and/or renderings or photographs of the architectural style, appearance and orientation of proposed buildings.	Ra	KCW
A statement describing the buffers, landscaping, and screening of proposed project.	Ra	KCW
A statement describing the maintenance and screening of any proposed pond, lake, or storm water management facility contained in the development.	Ra	KCW
A statement describing pedestrian access and circulation throughout the project.	Ra	KCW
A project contact statement with/from Berkeley County School District.	Ra	KCW
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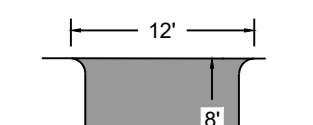


Flexible Review District Application

10. Signature

I affirm that the information submitted is correct and complete. I understand that any inconsistencies may cause a delay in the review or scheduling of the application and that incomplete applications may be returned. If any significant changes are made to the Preliminary Development Plan or Statement of Intent that is exceeding Staff's comments, and that significantly alter the basic concept and general characteristic of the proposed development, the requested rezoning application will be Administratively Withdrawn to allow Staff adequate time to review the revised submittal.

Signature of Applicant		<i>R. Chamberlain Chen</i>
Print Name	<i>Robert Chamberlain Chen</i>	Date <i>11/26/2024</i>

Nello Drive Townhomes - Site Development Plan Summary				
Address: 100 Block Nello Drive, Goose Creek, Berkeley County, SC 29445				
Site Area	=	12.640	Ac.	
Land Use Summary				
Proposed Zoning	=	Flexible Review District		
Proposed Use	=	Townhome		
Existing Use	=	Vacant		
Side Setback	=	5	FT	
Rear Setback	=	15	FT	
Front Setback	=	15	FT	
Side Setback (ROW)	=	15	FT	
Property Line Buffer	=	N/A (adjacent to RM or Similar County Zoning)		
Existing ROW Buffer	=	10	FT	
Maximum Bldg Height	=	40	FT	
Lot Area (Min.)	=	1,700	SF (Min. Lot Size Proposed is 20' Wide x 85' Deep)	
Lot Width (Min.)	=	20	FT	
Impervious Cover (Max.) for Subdivision	=	75%	9.480 Ac. Max. (<7.5-Ac Proposed)	
Density (Max.)	=	12.5	Units / Ac	11.23 Units/Ac Proposed
Building Summary				
Bldg. Height / Gross Floor Area	=	Height	LENGTH/WIDTH	GFA
PROPOSED TOWNHOMES	=	30' 0" (3-story)	50' / 20'	2,800 SF
		TOTAL No. UNITS =	142	
		TOTAL =	397,600 SF (GFA)	
		No. OF BEDROOMS PER UNIT=	3.5 (Varies 2 - 4)	
		No. OF BEDROOMS TOTAL=	497	
Non-residential Gross Floor Area	=	0 SF		
Parking Calculations				
Required Parking				Total Req'd Off Street Spaces
	Land Use	Units	Space / Unit	
	TOWNHOMES	142	2	284
Required Parking (Total)	=	284 Spaces		
Provided Parking	Standard	Electric Vehicle	Van Accessible	Total
Surface Spaces	=	2	1	4
Surface Spaces (Driveway)	=	204	0	204
Surface Spaces (Garage)	=	142	0	142
Total Provided Parking	=	350	Spaces (>=170 Required Spaces)	31,164
BIKE PARKING				
	REQUIRED	PROVIDED		
Spaces: 5% Required Parking Spaces	14.2	16		
Open Space Summary				
Total Site Area	=	12.64	Ac.	
Total ROW Proposed	=	3.10	Ac.	
Net Site Area	=	9.54	Ac.	% Net Site Area Area (SF)
Total Open Space Area Req'd	=	1.43	Ac.	15.0% 62,328
Total Open Space Area Provided	=	2.77	Ac.	29.1% 120,877
Contiguous Open Space Area Req'd	=	0.86	Ac.	60.0% 37,397
Contiguous Open Space Area Provided	=	1.46	Ac.	102.3% 63,783
Active Open Space Area Required	=	0.72	Ac.	50.0% 31,164
Active Open Space Area Provided	=		% Req'd Open Space	Area (SF)
1/4-Mile Multi-Use Trail w/ Benches, Workout Equipment, & Water Fountains	=	1.46	Ac.	102.3% 63,783
1/4-Acre Fenced Dog Park w/ Benches	=	0.40	Ac.	27.8% 17,314
Entry Park w/ Picnic Area & Seating	=	0.21	Ac.	14.4% 8,973
Total Active Open Space Area Provided	=	2.07	Ac.	144.5% 90,070
Total Passive Open Space Area Provided	=	0.71	Ac.	49.4% 30,806
Total Open Space Area Provided	=	2.77	Ac.	193.9% 120,877
PRELIMINARY ANALYSIS OF THE SITE DRAINAGE INDICATES AN ACCEPTABLE DRAINAGE SYSTEM CAN BE DESIGNED FOR THE PROPOSED PROJECT BASED ON THE SIZE AND LOCATIONS OF THE PROPOSED DETENTION PONDS AND LOCATION AND ELEVATION OF THE OUTFALL				
				
ROW BUY TYPICAL DRIVEWAY DIMENSIONS (N.T.S.)				



24' STREET P.V.M.T.

CONCRETE DRIVEWAY

PAVED DRIVEWAY

5' CONCRETE SIDEWALK

5' MULTI-USE NATURE TRAIL

ACTIVE OPEN SPACE

PASSIVE OPEN SPACE

WQ/DET. POND

LJA Engineering, Inc.

171 Church St.

Suite 100

Charleston, S. Carolina 29401

Phone 843.465.5140

www.LJA.com

FRN-026108

NELLO DRIVE LAND PLAN

TOWNHOMES

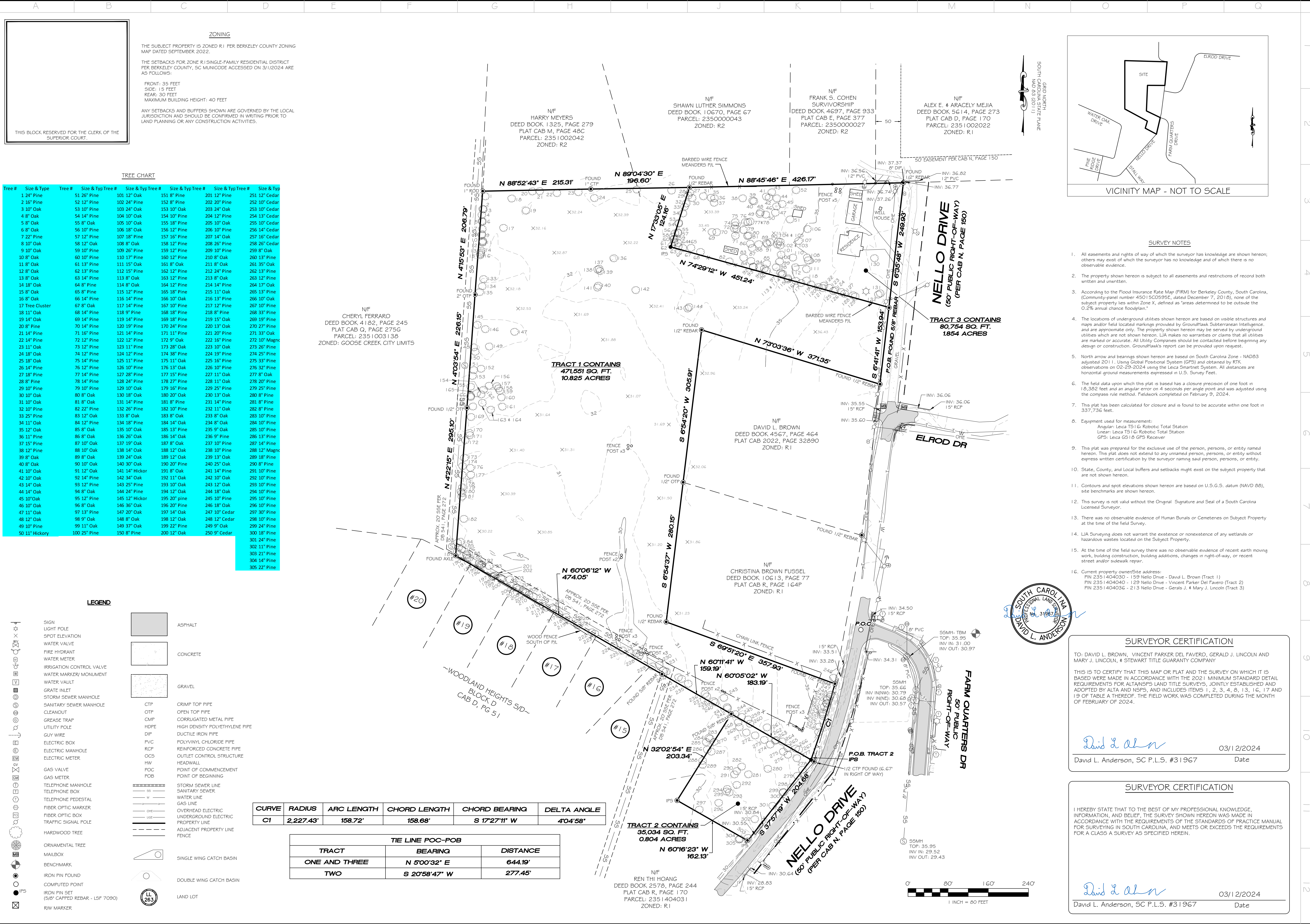
PRELIMINARY DEVELOPMENT PLAN

JANUARY 22, 2025

EXHIBIT No. 1

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LJA SURVEYING INC.

Phone: 713.953.5200
LSP No. 7050

4525 SOUTH LEE STREET
BUTLOR, GA 30516

LOCATED IN:

ST. JAMES

GOOSE CREEK PARISH

BERKELEY COUNTY, S.C.

ALTA/NSPS LAND TITLE SURVEY

FOR DAVID L. BROWN & VINCENT PARKER DEL FAVERO & GERALD J. LINCOLN AND MARK J. LINCOLN & STEWART TITLE GUARANTY COMPANY

ISSUE	DATE	DESCRIPTION
INITIAL	03/12/2024	
REV. 1		
REV. 2		
REV. 3		
REV. 4		
REV. 5		
REV. 6		
REV. 7		

DRAFTED BY: MS

CHECKED BY: MCB

PROJECT #:

SC3456-2401

811

Know what's below.

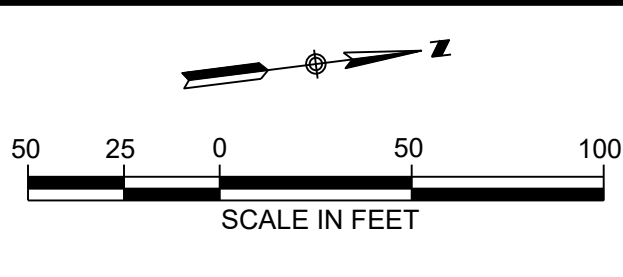
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO PROPERLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

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SHEET NO:

1 OF 2



USDA NRCS SOIL SUMMARY TABLE					LJA Engineering, Inc. 171 Church St. Suite 100 Charleston, S. Carolina 29401 Phone 843.405.5140 www.LJA.com FRN-036168	NELLO DRIVE LAND PLAN TOWNHOMES NATURAL RESOURCE INVENTORY MAP NOVEMBER 22, 2024 EXHIBIT No. 3 OF 3
Soil Name	Drainage Class	Hydrologic Soil Group	Saturation Rate (in / hr)	Depth to Water Table (in.)		
(Mg) Meggett loam	Poorly drained	C/D	0.2 - 0.57	~0 to 12		
(Le) Lenoir fine sandy loam	Somewhat poorly drained	C/D	0.2 - 0.57	~6		
(DuA) Dublin fine sandy loam	Moderately well drained	C/D	0.2 - 0.57	~18 to 42		

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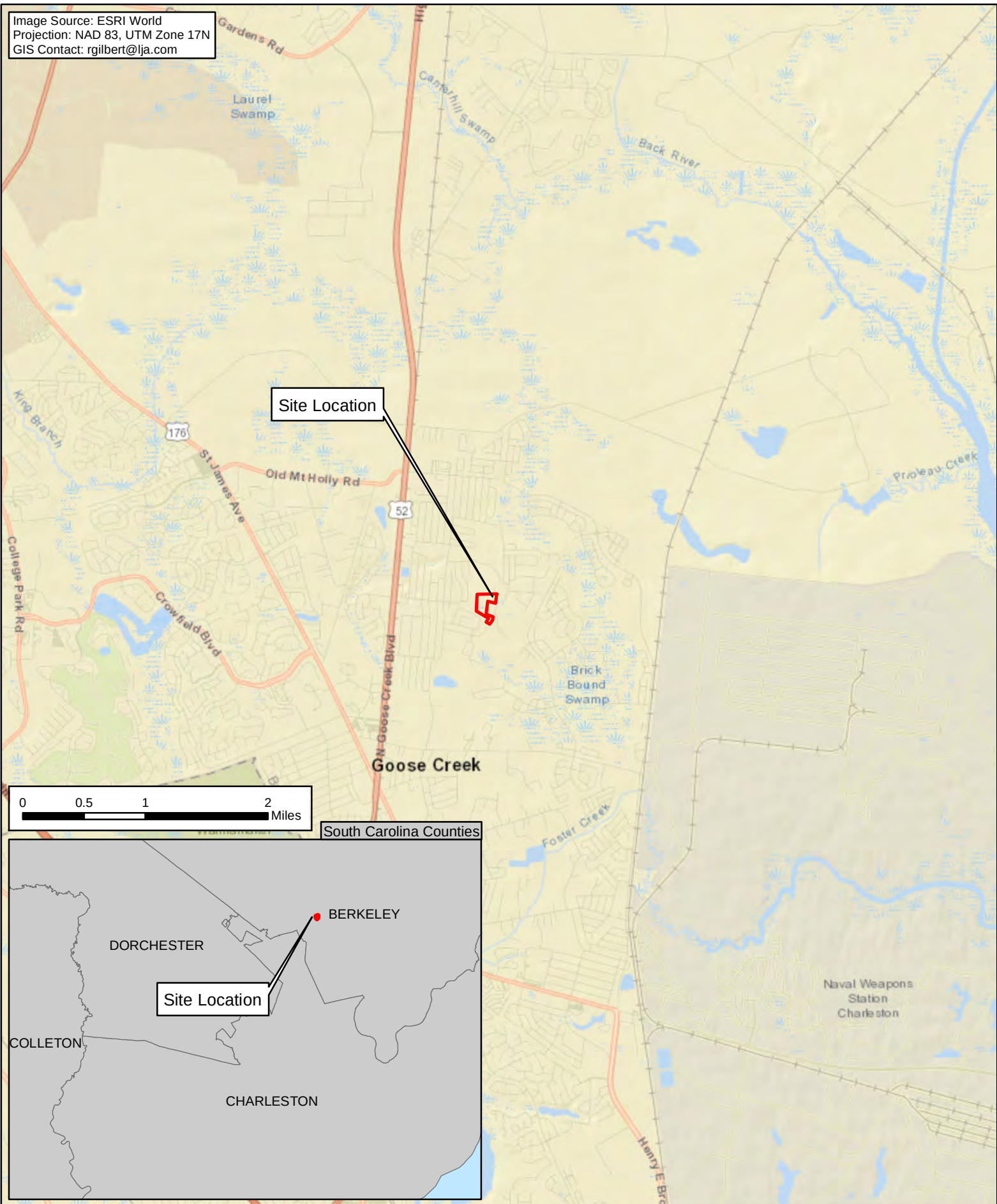


FIGURE 1 - SITE VICINITY MAP



FIGURE 2 - USGS TOPOGRAPHIC MAP- MOUNT HOLLY, SC QUARTER-QUAD



Project #: IC01-23395

For: Nello Drive Tract

Location: East of intersection of Nello Dr & Elrod Dr
 Berkeley County, South Carolina

Project Boundary

 13.8 acres

LJA ENVIRONMENTAL SERVICES

ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS
 14701 ST. MARY'S LANE, SUITE 400 HOUSTON, TEXAS 77079
 (281)589-0898 <http://www.ljaenvironmental.com>





FIGURE 3 - NATIONAL AGRICULTURE IMAGERY PROGRAM (NAIP) AERIAL IMAGERY

	Project #: IC01-23395 For: Nello Drive Tract Location: East of intersection of Nello Dr & Elrod Dr Berkeley County, South Carolina	Project Boundary  13.8 acres	LJA ENVIRONMENTAL SERVICES ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS 14701 ST. MARY'S LANE, SUITE 400 HOUSTON, TEXAS 77079 (281)589-0898 http://www.ljaenvironmental.com	
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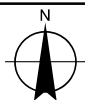
Data Source: FEMA
Image Source: Nearmap (01/10/2024)
Projection: NAD 83, UTM Zone 17N
GIS Contact: rgilbert@lja.com

2018 FEMA
100-Year



NOTE: Approximate location of the 100-year floodplain as depicted was derived from digitized 2018 Federal Insurance Rate Maps (FIRM). The proper authorities, prior to any land planning or engineering activities, should verify the exact location of the floodplain.

FIGURE 4 - FEMA 100-YEAR FLOODPLAIN



Project #: IC01-23395

For: Nello Drive Tract

Location: East of intersection of Nello Dr & Elrod Dr
Berkeley County, South Carolina

Project Boundary

13.8 acres

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Data Source: USFWS
 Image Source: Nearmap (01/10/2024)
 Projection: NAD 83, UTM Zone 17N
 GIS Contact: rgilbert@lja.com



FIGURE 5 - USFWS NATIONAL WETLANDS INVENTORY



Project #: IC01-23395

For: Nello Drive Tract

Location: East of intersection of Nello Dr & Elrod Dr
 Berkeley County, South Carolina

Project Boundary



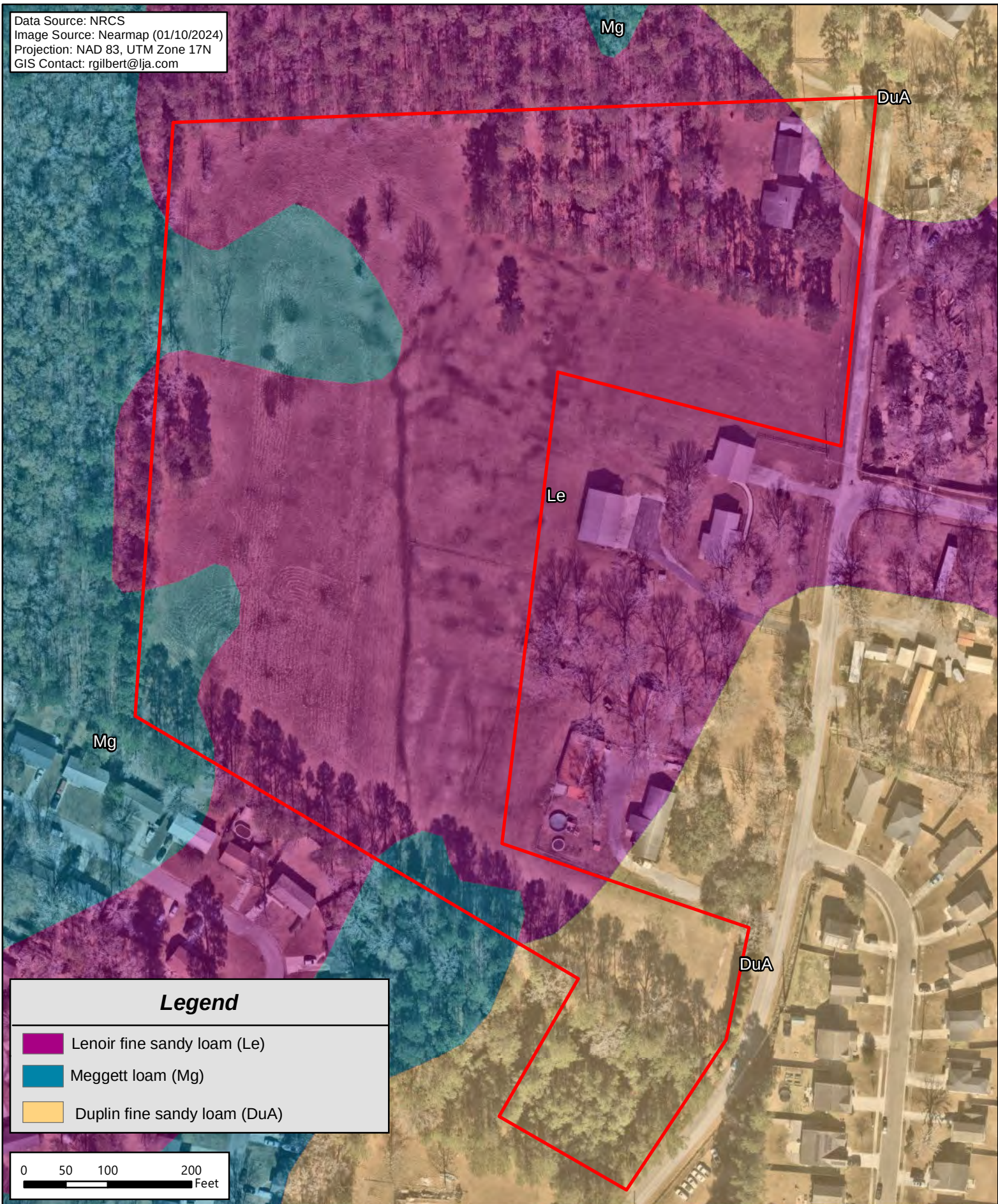
13.8 acres

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Data Source: NRCS
 Image Source: Nearmap (01/10/2024)
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 GIS Contact: rgilbert@lja.com

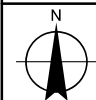


Legend

- Lenoir fine sandy loam (Le)
- Meggett loam (Mg)
- Duplin fine sandy loam (DuA)

0 50 100 200
 Feet

FIGURE 6 - NRCS COUNTY SOILS



Project #: IC01-23395
 For: Nello Drive Tract
 Location: East of intersection of Nello Dr & Elrod Dr
 Berkeley County, South Carolina

Project Boundary
 13.8 acres

LJA ENVIRONMENTAL SERVICES
 ENVIRONMENTAL SCIENCE & LAND USE CONSULTANTS
 14701 ST. MARY'S LANE, SUITE 400 HOUSTON, TEXAS 77079
 (281) 589-0898 <http://www.ljaenvironmental.com>



DISCOVERY TRACT
SC-BERK08

GOOSE CREEK TRACT

APPROX. 14 AC.

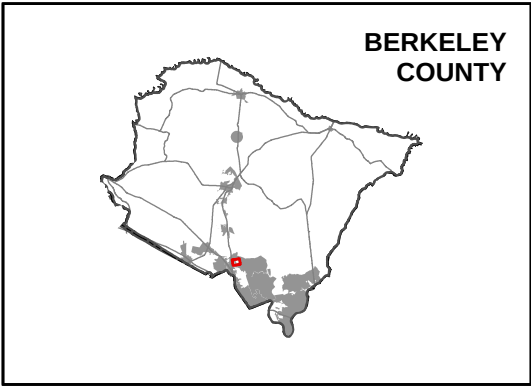
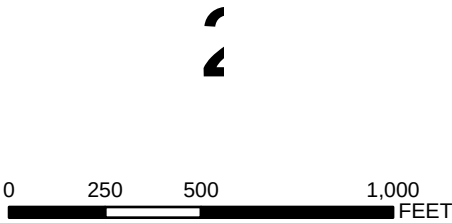
POTENTIAL WETLANDS EXHIBIT

NOVEMBER 2023

LEGEND

-  DISCOVERY TRACT
-  POTENTIAL WETLANDS (APPROX. 0.01 AC.)

DATA SOURCE: POTENTIAL WETLANDS - NATIONAL WETLANDS INVENTORY (NWI)



AERIAL PHOTOGRAPH: NEARMAP 2023

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.



171 Church Street Suite 100
Charleston, South Carolina 29401
Phone 843.507.8404
LJA.com



THE POTENTIAL WETLAND AREA FEATURES ON THIS MAP WERE IDENTIFIED BY THE U.S. FISH AND WILDLIFE SERVICE FOR THE NATIONAL WETLANDS INVENTORY PROGRAM. THESE MAPS ARE ONLY TO BE USED TO IDENTIFY POTENTIAL WETLANDS AND SHOULD NOT BE USED TO MAKE JURISDICTIONAL DETERMINATIONS TO DETERMINE THE PRESENCE OF JURISDICTIONAL WETLANDS OR STREAMS. ADDITIONAL WETLAND AREAS MAY EXIST THAT ARE NOT MAPPED. FOR AREAS THAT ARE MAPPED, A CERTAIN MARGIN OF ERROR WILL EXIST FOR BOUNDARIES OR LOCATIONS OF POTENTIAL WETLANDS. A WETLAND DELINEATION WAS NOT CONDUCTED ACCORDING TO THE 2010 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL ATLANTIC AND GULF COASTAL PLAIN REGION (V.2). THE USACE AND THE EPA ARE THE FINAL AUTHORITY OVER THE JURISDICTIONAL STATUS OF BOTH WETLANDS AND WATERS OF THE U.S. PER SECTION 404 OF THE CLEAN WATER ACT. THIS MAP SHOULD NOT BE USED FOR ANY PLANNING OR ENGINEERING PURPOSES. LJA RECOMMENDS CONDUCTING SITE RECONNAISSANCE FOR A WETLAND DUE DILIGENCE STUDY OR WETLAND DELINEATION PRIOR TO LAND PLANNING OR ENGINEERING.

DISCOVERY TRACT
SC-BERK08

GOOSE CREEK TRACT

APPROX. 14 AC.

EFFECTIVE FLOODPLAIN EXHIBIT

COOPER RIVER BASIN

NOVEMBER 2023

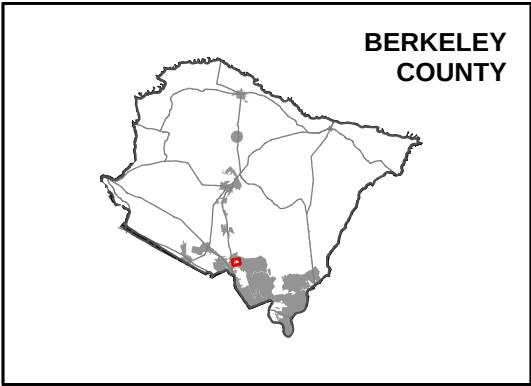
LEGEND

- DISCOVERY TRACT
- CONTOURS (2 FT.)
- CROSS SECTIONS
- FLOODWAY
- 100 YEAR
- 500 YEAR
- ZONE AO
- ZONE A
- AREA WITH
REDUCED FLOOD
RISK DUE TO LEVEE
- ZONE VE

DATA SOURCE: EFFECTIVE: FLOODPLAIN DATA, CHANNELS, AND
CROSS SECTIONS - FEMA, FIRM PANELS: 45015C0595E- 12/7/2018,
CONTOURS (2FT) - SCDNR, WATERSHED - SCDNR

2

0 250 500 1,000
FEET



AERIAL PHOTOGRAPH DATE: NEARMAP 2023

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT
HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL,
ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT
REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS
ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY
BOUNDARIES.

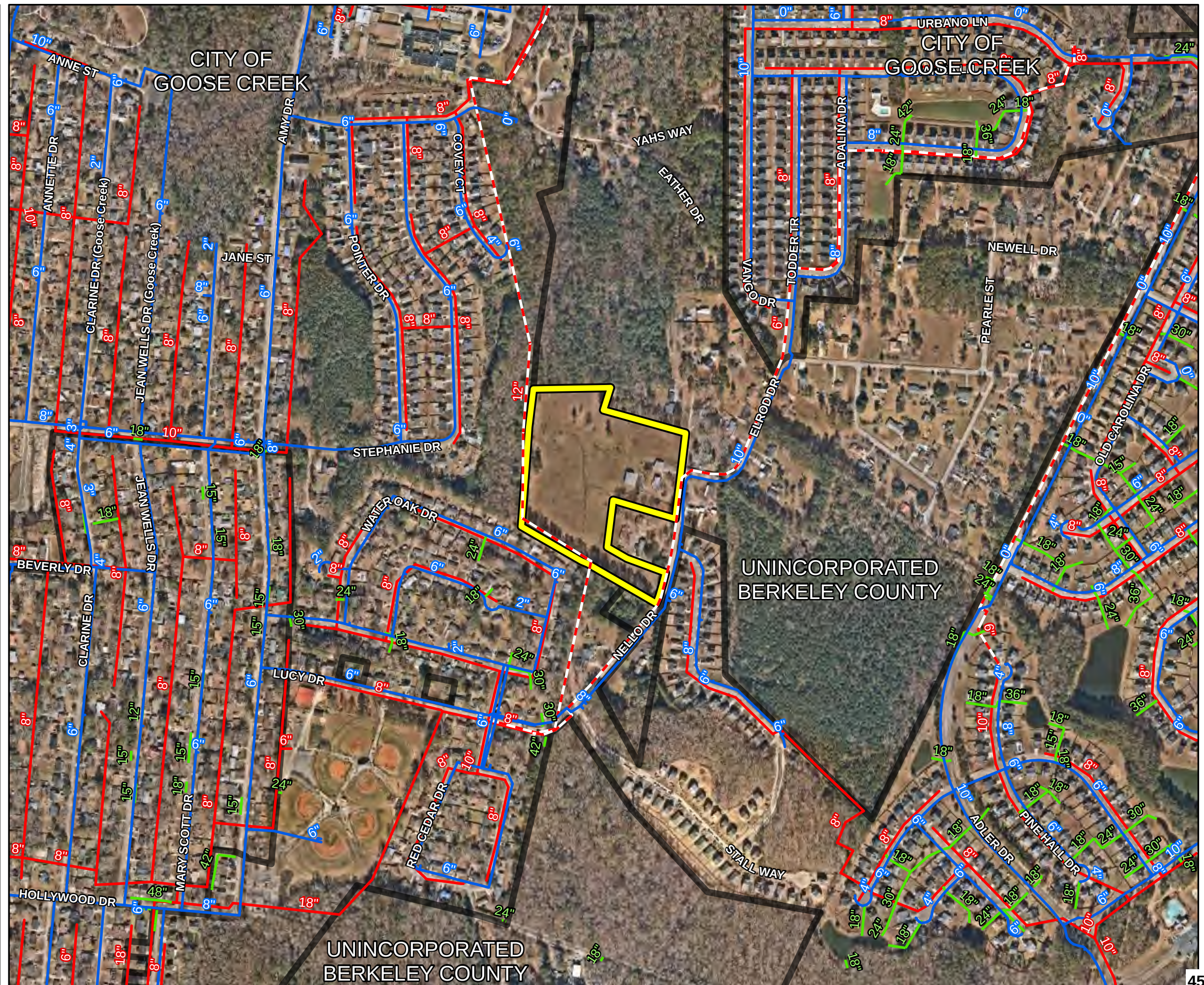


171 Church Street Suite 100
Charleston, South Carolina 29401
Phone 843.507.8404
LJA.com



THE AUTHORS OF THIS EXHIBIT HAVE USED THEIR BEST EFFORTS IN ITS PREPARATION. THESE EFFORTS INCLUDE THE DEVELOPMENT, RESEARCH, AND TESTING OF THE THEORIES AND PROGRAMS TO DETERMINE THEIR EFFECTIVENESS. HOWEVER, NEITHER THE AUTHORS NOR THE U.S. GOVERNMENT NOR ANY AGENCY THEREOF, NOR ANY OF THEIR EMPLOYEES, NOR ANY OF THEIR CONTRACTORS, SUBCONTRACTORS, OR THEIR EMPLOYEES, MAKE ANY WARRANTY EXPRESS OR IMPLIED, OR ASSUME ANY LEGAL LIABILITY OR RESPONSIBILITY FOR THE ACCURACY, COMPLETENESS, OR USEFULNESS OF ANY INFORMATION APPARATUS, ALGORITHM, PRODUCT, OR PROCESS DISCLOSED, OR REPRESENT THAT ITS USE WOULD NOT INFRINGE ON PRIVATELY OWNED RIGHTS.

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Charleston, South Carolina 29401
Phone 843.507.8404
LJA.com





Open Field/Pasture Community (West View)



Open Field/Pasture Community (East View)



Hardwood and Pine Forest Community (North View)



Hardwood and Pine Forest Community (South View)



Planted Pine Forest Community (East View)



Planted Pine Forest Community (South View)



Single-Family Residential Land Use (East View)



Stormwater Detention Basin 1 (Non-Jurisdictional, North View)

The City of Goose Creek
519 North Goose Creek Boulevard
P.O. Drawer 1769
Goose Creek, South Carolina 9445

RE: Nello Drive Townhome Development
Berkeley County, South Carolina
Statement of Intent for Flexible Review District Application

Statement of Intent

1. A description of the procedures of any proposed homeowner's association or other group maintenance agreement.

Response: Prior to issuance of any Certificate of Occupancy, an HOA will be established that will be responsible for all common areas on this subdivision. This includes maintenance and upkeep of all sidewalks, roads, storm systems, ponds, landscaping, street lights, parks/open space, and associated improvements that are not to be maintained by public entities and/or landowners. HOA by-laws, procedures, and enforcements will be recorded with the County and all future townhome owners will be required to participate in the HOA agreements.

2. A statement setting forth the proposed development schedule.

Response: The development is scheduled to start construction in the beginning in 2026 and will take approximately one (1) year to construct and complete. The development is proposed to be built without any phasing.

3. A statement of the public improvements both on and off site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.

Response: See the enclosed Conceptual Site Plan for reference (EXHIBIT 1). Public improvements include the construction and dedication of easements and public Right-of-Way (ROW) for the following improvements, all of which will be built under the schedule as discussed above with easements/ROW recorded with a Final Subdivision Plat:

- New Streets (50' ROW w/ 24' wide pavement and 5' wide sidewalks) to be within a public ROW with HOA maintenance.*
- The turn or hammerhead required at the end of the terminus drive is hereby exempt from LDR 5.7(C)(2) "Single Terminus Road Standards" which typically requires a proposed permanent single-terminus road to end in a turn-around at least forty-five (45) feet in radius. A turn or hammerhead will be required at single terminus roads except when roads are stubbed out to adjacent property for future connections and the single terminus road length from the nearest intersection is less than 150 linear feet.*
- Public Waterlines within proposed public water line easements with Goose Creek Water ownership / maintenance.*
- Public Sanitary Sewer Lines, Force main, and Lift Station within proposed public sanitary sewer easements with BCWS ownership / maintenance.*
- Sidewalks & Street Connection within Nello Drive ROW w/ public ownership / maintenance.*
- Stormwater, Detention, and Water Quality improvements within public drainage easements with HOA maintenance.*
- The HOA shall propose, install, and maintain service on a system of illumination of all roads and adjacent sidewalks within the development.*

- Driveways are hereby exempt from LDR 5.7(l)(2)(b) "Standards for Residential Lot w/ On-Site Parking" which typically requires driveways to be at least 60' from the nearest intersection. It is not feasible to meet this requirement with townhomes given the narrow lot spacing. To mitigate against the driveway spacing requirement, all proposed streets shall have a posted speed limit no greater than 20 mph and all legs of intersections are required to have stop signs. These provisions will allow for ingress and egress to lot driveways without the concern of traffic conflicts as all vehicles within the street will be at a stop or preparing to stop.
- Various Landscaping & Open Space Improvements to be owned and maintained by the HOA within public open space / park lots:
 - Trails
 - Benches
 - Exercise Equipment
 - Fenced Dog Park
 - Benches & Enhanced Landscaped Seating Areas
 - Water Fountains
 - Park & Street Lighting

4. A statement of impact on public facilities including water, sewer collection and treatment, fire protection etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.

Response: The water and sewer loading information prepared by LJA Engineering, Inc. is included below. Both BCWS (sewer) and Goose Creek (water) have stated they can and will serve this development. However, since the project cannot move forward without FRD Zoning approval, final unit counts are yet to be determined, and therefore will serve letters will be provided at the time of the first development application. The project is required to install a looped 8" waterline that connects to the existing 8" and 10" water line within Nello Drive ROW at both proposed entrances. BCWS requires a public lift station that will extend a public / offsite forcemain to an existing gravity sewer manhole located within Farm Quarters Drive ROW across Nello Drive.

		Preliminary Sewer Loading Calculations Nello Drive Townhomes, Goose Creek, SC				
Phase	Use	Units	Hydraulic Loading per Unit (GPD/Unit)	Hydraulic Loading (GPD)	Peak Hydraulic Loading (2.5x GPD)	Peak Hydraulic Loading (GPM)
1	Townhome Residence	142	225	31,950	79,875	55.48
	Total			31,950	79,875	55.48

5. A statement describing and/or renderings or photographs of the architectural style, appearance, and orientation of proposed buildings.

Response: The architecture will compose of a mix of front-loaded garages, and rear loaded garages in order to have several types of architecture. The rear loaded garages that are positioned in the middle of the site, will provide a variation and will allow front doors facing the sidewalk and landscape buffers. The homes have been oriented in several ways to provide further variation across the site, some sites back up to ponds or natural buffers, some are rear loaded, and some are front loaded. Materials such as shingle roofs, with metal accent roofs are acceptable. Townhomes will either be cement plank siding or vinyl siding, with architectural square columns, and shutters. Front porches or stoops shall be built to protect the front door from water, and also serve as an architectural focal point. The rear of the townhomes will all feature optional porches.

6. A statement describing the buffers, landscaping, and screening of proposed project.

Response: See the enclosed Landscape Buffering Plan for reference (**EXHIBIT 3**). The development is proposed to include the following items:

- 10' TYPE A ROW Buffer along Nello Drive with landscaping, trees, and hedges to buffer the development from the existing roadway. 4 overstory, 8 understory trees, and 12 evergreen shrubs shall be installed every 100 linear feet.
- A TYPE B Screening Buffer is required along all areas adjacent to existing or future residential developments. Townhomes along existing lots shall have enhanced yard planting measures to buffer and screen the development from adjacent landowners. This buffer may be included as part of rear lots and does not require dedication as a lot. The TYPE B Screening Buffer is summarized as follows:
 - 5' landscaping strip will be required along the property line adjacent to single family residential zoning.
 - Plantings within this buffer require a minimum of 2 overstory trees, 3 understory trees, and 8 evergreen shrubs every 100 linear feet.
 - A minimum 6' height privacy fence will be required along the subdivision / TYPE A Screening Buffer limits as indicated on **EXHIBIT 3**.
- Trees shall be installed along the internal circulation roads. 1 street tree shall be installed every 40 linear feet, measured at edge of pavement, on each side of the road, exclusive of intersections with other roads. On center spacing between street trees shall be 30 to 50 feet. Street trees shall be upright growing hardwood trees with an average life expectancy of at least 40 years and shall be installed at 3 inch caliper in tree wells or in a verge between the road and sidewalk.
- Open Space / Pocket Parks are proposed to be adjacent to existing lots in multiple locations that will have enhanced landscape measures to buffer and screen the development from adjacent landowners.
- Ponds, lift stations, and other required subdivision improvements will have enhanced rear tree planting measures to buffer and screen the development from adjacent landowners.
- Existing trees along the subdivision boundary will be preserved to the extent practical to maintain existing screening / buffering.

7. A statement describing the maintenance and screening of any proposed pond, lake, or storm water management facility contained in the development.

Response: The proposed stormwater management facilities will be screened with trees and landscaping, as well as a ¼-mile multi-use nature trail with benches, exercise areas, and water fountains. Ponds will have submerged inlet and outlet pipes to create visually appealing lakes that will serve as an amenity for this development. Additionally, ponds are to be curvilinear to the extent practical to mimic a natural pond/lake rather than a square or structural pond. See above for minimum subdivision landscape screening buffers which will also contribute to pond screening.

8. A statement describing pedestrian access and circulation throughout the project.

Response: The entire development is proposed to have 5' paved sidewalks and 8' pervious material looped trails that will interconnect all lots to all parks, open space, amenities, as well as new sidewalks along Nello Drive. Dedicated multi-use paths shall be 8 feet wide in accordance with LDR 5.7(F)(2). The project has over ¼-miles of proposed multi-use nature trails and over 1-mile of new sidewalks along proposed and existing ROW. The amenities on site include an architectural fire pit with seating, integrated exercise equipment and benches around the pond, and a 0.25-acre dog park providing residents with a safe, enclosed space for their dogs to run freely. Additionally, 36 Townhomes are proposed to be served off a rear alley to have enhanced visual appeal within the central portion of the development to have a significant portion of the proposed streets to be installed without numerous curb cuts for new driveways. Driveways shall be 10' wide and 12' wide at the edge of the road in accordance with LDR 5.7(I)(2)(a) "Driveways General Standards". The alley will be no longer than 300 feet without intersecting a local or collector road in accordance with LDR 5.7(E)(1) "Standards by road type".

9. A project contact statement with/from Berkeley County School District.

Response: Once final lot counts and plans are finalized, we will contact BCSD for their feedback and provide all correspondence to the City for review.

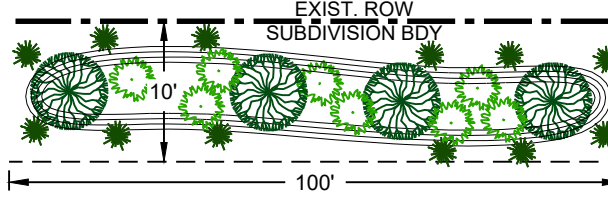
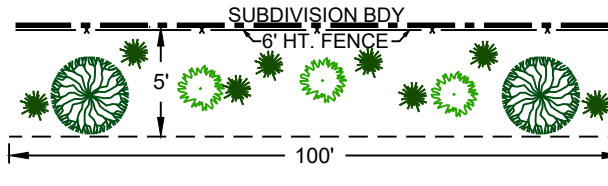
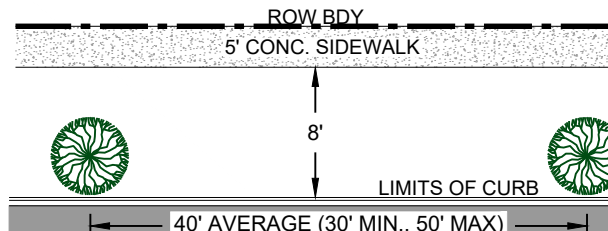
10. Any such information or descriptions as may be deemed reasonably appropriate for review.
Response: Land use for this subdivision is hereby restricted to Townhome Use. Any change in land use requires rezoning or a zoning amendment. See below for our proposed zoning requirements for this project.

Nello Drive Townhomes - Site Development Plan Summary				
Address: 100 Block Nello Drive, Goose Creek, Berkeley County, SC 29445				
Site Area	=	12.640	Ac.	
Land Use Summary				
Proposed Zoning	=	Flexible Review District		
Proposed Use	=	Townhome		
Existing Use	=	Vacant		
Side Setback	=	5	FT	
Rear Setback	=	15	FT	
Front Setback	=	15	FT	
Side Setback (ROW)	=	15	FT	
Property Line Buffer	=	N/A (adjacent to RM or Similar County Zoning)		
Existing ROW Buffer	=	10	FT	
Maximum Bldg Height	=	40	FT	
Lot Area (Min.)	=	1,700	SF (Min. Lot Size Proposed is 20' Wide x 85' Deep)	
Lot Width (Min.)	=	20	FT	
Impervious Cover (Max.) for Subdivision	=	75%	9.480 Ac. Max. (<7.5-Ac Proposed)	
Density (Max.)	=	12.5	Units / Ac	11.23 Units/Ac Proposed
Building Summary				
Bldg. Height / Gross Floor Area		Height	LENGTH/WIDTH	GFA
PROPOSED TOWNHOMES	=	30' 0" (3-story)	50' / 20'	2,800 SF
		TOTAL No. UNITS =	142	
		TOTAL =	397,600 SF (GFA)	
		No. OF BEDROOMS PER UNIT =	3.5 (Varies 2 - 4)	
		No. OF BEDROOMS TOTAL =	497	
Parking Calculations				
Required Parking				Total Req'd Off Street Spaces
Land Use	Units	Space / Unit		
TOWNHOMES	142	2		284
Required Parking (Total)	=	284 Spaces		
Provided Parking		Standard	Electric Vehicle	Van Accessible
Surface Spaces	=	2	1	1
Surface Spaces (Driveway)	=	204	0	0
Surface Spaces (Garage)	=	142	0	0
Total Provided Parking	=	350	Spaces	(≥170 Required Spaces)
BIKE PARKING		REQUIRED	PROVIDED	
Spaces: 5% Required Parking Spaces		14.2	16	
Open Space Summary				
Total Site Area	=	12.64	Ac.	
Total ROW Proposed	=	3.10	Ac.	
Net Site Area	=	9.54	Ac.	% Net Site Area
Total Open Space Area Req'd	=	1.43	Ac.	15.0%
Total Open Space Area Provided	=	2.77	Ac.	29.1%
Contiguous Open Space Area Req'd	=	0.86	Ac.	60.0%
Contiguous Open Space Area Provided	=	1.46	Ac.	102.3%
Active Open Space Area Required	=	0.72	Ac.	50.0%
Active Open Space Area Provided	=			% Req'd Open Space
1/4-Mile Multi-Use Trail w/ Benches, Workout Equipment, & Water Fountains	=	1.46	Ac.	102.3%
1/4-Acre Fenced Dog Park w/ Benches	=	0.40	Ac.	27.8%
Entry Park w/ Picnic Area & Seating	=	0.21	Ac.	14.4%
Total Active Open Space Area Provided	=	2.07	Ac.	144.5%
Total Passive Open Space Area Provided	=	0.71	Ac.	49.4%
Total Open Space Area Provided	=	2.77	Ac.	193.9%

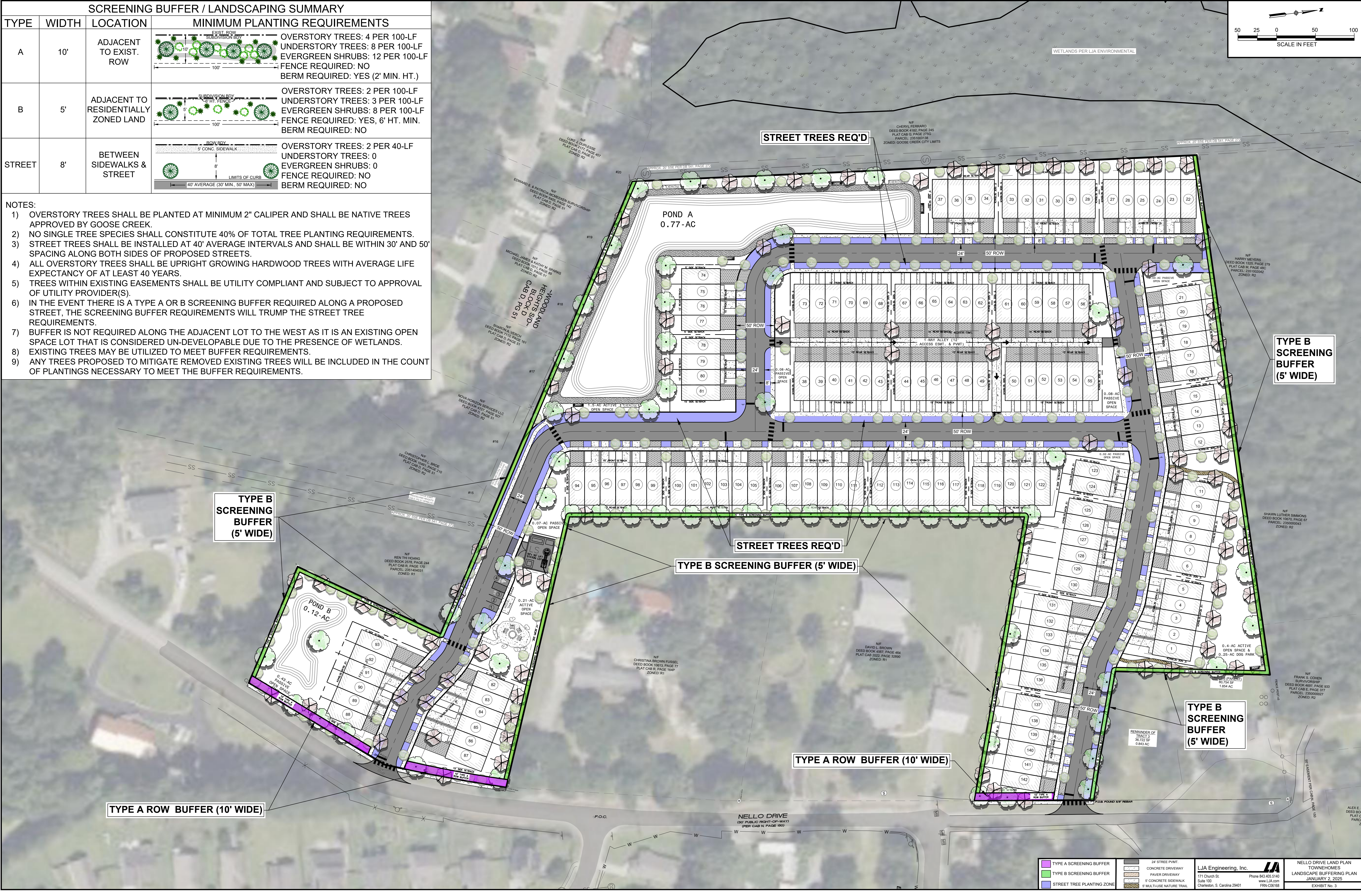
We trust this information will help in your evaluation of the project. If you have any questions, do not hesitate to contact me at (843) 518-2027 or chesnutr@gmail.com.

Sincerely,

Chamberlain Chesnut
Chesnut Development
183, 3rd Avenue
Charleston, South Carolina 29403

SCREENING BUFFER / LANDSCAPING SUMMARY			
TYPE	WIDTH	LOCATION	MINIMUM PLANTING REQUIREMENTS
A	10'	ADJACENT TO EXIST. ROW	 OVERSTORY TREES: 4 PER 100-LF UNDERSTORY TREES: 8 PER 100-LF EVERGREEN SHRUBS: 12 PER 100-LF FENCE REQUIRED: NO BERM REQUIRED: YES (2' MIN. HT.)
B	5'	ADJACENT TO RESIDENTIALLY ZONED LAND	 OVERSTORY TREES: 2 PER 100-LF UNDERSTORY TREES: 3 PER 100-LF EVERGREEN SHRUBS: 8 PER 100-LF FENCE REQUIRED: YES, 6' HT. MIN. BERM REQUIRED: NO
STREET	8'	BETWEEN SIDEWALKS & STREET	 OVERSTORY TREES: 2 PER 40-LF UNDERSTORY TREES: 0 EVERGREEN SHRUBS: 0 FENCE REQUIRED: NO BERM REQUIRED: NO

- NOTES:
- OVERSTORY TREES SHALL BE PLANTED AT MINIMUM 2" CALIPER AND SHALL BE NATIVE TREES APPROVED BY GOOSE CREEK.
 - NO SINGLE TREE SPECIES SHALL CONSTITUTE 40% OF TOTAL TREE PLANTING REQUIREMENTS.
 - STREET TREES SHALL BE INSTALLED AT 40' AVERAGE INTERVALS AND SHALL BE WITHIN 30' AND 50' SPACING ALONG BOTH SIDES OF PROPOSED STREETS.
 - ALL OVERSTORY TREES SHALL BE UPRIGHT GROWING HARDWOOD TREES WITH AVERAGE LIFE EXPECTANCY OF AT LEAST 40 YEARS.
 - TREES WITHIN EXISTING EASEMENTS SHALL BE UTILITY COMPLIANT AND SUBJECT TO APPROVAL OF UTILITY PROVIDER(S).
 - IN THE EVENT THERE IS A TYPE A OR B SCREENING BUFFER REQUIRED ALONG A PROPOSED STREET, THE SCREENING BUFFER REQUIREMENTS WILL TRUMP THE STREET TREE REQUIREMENTS.
 - BUFFER IS NOT REQUIRED ALONG THE ADJACENT LOT TO THE WEST AS IT IS AN EXISTING OPEN SPACE LOT THAT IS CONSIDERED UN-DEVELOPABLE DUE TO THE PRESENCE OF WETLANDS.
 - EXISTING TREES MAY BE UTILIZED TO MEET BUFFER REQUIREMENTS.
 - ANY TREES PROPOSED TO MITIGATE REMOVED EXISTING TREES WILL BE INCLUDED IN THE COUNT OF PLANTINGS NECESSARY TO MEET THE BUFFER REQUIREMENTS.





December 19, 2024

Mr. Chamberlain Chestnut
Chamberlain Chestnut Real Estate Agency
5 Cedar Drive
Charleston, SC 29403

Re: Nello Drive Planned Development

Dear Mr. Chestnut,

We have reviewed your plans for a residential development consisting of 148 townhomes located behind Nello Drive, Goose Creek, South Carolina.

The current attendance zones for your development are served by Boulder Bluff Elementary, Sedgefield Middle School, and Goose Creek High School. Currently, all of these schools are operating within capacity, although there is high growth in these areas. To properly serve all students, attendance zones may need to be modified in the future, and those modifications may affect your development.

We are employing both short-term strategies, such as attendance caps, and long-term strategies, such as building wings and new schools, to increase capacity in the area. In any event, we will continue to provide educational services to all students residing in the County.

This letter serves as evidence of your coordination with us. Please let me know if we can provide any additional information or assistance at this time.

Sincerely,

Anthony S. Dixon, Ed.D.
Superintendent

Cc: Board Members

MAKING A POSITIVE DIFFERENCE

Berkeley County School District
Superintendent's Office
P.O. Box 608
Moncks Corner, SC 29461

PHONE: 843-899-8602

FAX: 843-899-8654

WEBSITE: www.bcsdschools.net



Request for City Council Agenda Item

To: MAYOR AND CITY COUNCIL

From: ALEXIS KISER, SPECIAL PROJECTS MANAGER

Please check one box

☐ Regular Meeting

☐ Special Meeting

☒ Work Session

Please check one box, if applicable

☐ Ordinance

☐ Resolution

☐ Proclamation

☐ Request to
Purchase

Ordinance/Resolution Title

DISCUSSION OF EVENT CENTER AND CURRENT CITY HALL RENOVATION PROJECT

Background Summary

Financial Impact

Impact if denied

Impact if approved

Department Head:

City Administrator:

Signature & Date

Signature & Date



Request for City Council Agenda Item

To: City Administrator, Mayor, and Council

From: K. Brian Cook, Assistant City Administrator

Please check one box

☐ Regular Meeting

☐ Special Meeting

☒ Work Session

Please check one box, if applicable

☐ Ordinance

☐ Resolution

☐ Proclamation

☐ Request to
Purchase

Ordinance/Resolution Title

DISCUSSION REGARDING AMENDING THE CURRENT BERKELEY COUNTY - CITY OF GOOSE CREEK INTERGOVERNMENTAL AGREEMENT - ACCEPTANCE OF ROADS FOR MAINTENANCE

Background Summary

Berkeley County has requested consideration by the City of Goose Creek to amend the current Berkeley County - City of Goose Creek Road Maintenance Intergovernmental Agreement (IGA) . The current IGA was executed on January 11, 2022. The current and proposed IGA are included.

The current IGA continues year to year and may be terminated by either party by delivering 12 months written advance notice.

Section #3 of the draft IGA is new and contains certain dedication language to be included on final plats.

Section #4 of the Draft IGA is new and contains specific language relative to funding from the One Cent Sales Tax Program and procedures, practices, and limitations, to include infrastructure being placed under warranty, and final plat approval.

Financial Impact

Impact if denied

Impact if approved

Department Head:

City Administrator:

Signature & Date

Signature & Date

STATE OF SOUTH CAROLINA) INTERGOVERNMENTAL AGREEMENT-
)
) ACCEPTENCE OF ROADS FOR
COUNTY OF BERKELEY) MAINTENANCE

WHEREAS, The City of Goose Creek (“City”) and Berkeley County (“County”), each a “Party” and together the “Parties, deem it to be in the best interests of both Parties to enter into an Intergovernmental Agreement, (“IGA”), to establish rights, relations and responsibilities with regard to publicly maintained roads located in the municipality and the stormwater system associated the same.

KNOW ALL MEN BY THESE PRESENTS, that City and County hereby covenant and agree as follows:

1. This agreement shall become effective on the date of execution hereof by the last signatory to this IGA and it shall continue from year to year unless terminated. This agreement shall supersede the agreement of January 11, 2022. Either party may terminate this agreement by delivering 12 months' advance notice written notice of termination to the other party's address listed below.
2. The City and County have previously entered into an IGA which provides for the collection of stormwater management utility user fees and for the day to day operation and maintenance of the City's storm drainage system including those facilities that collect and convey stormwater from County maintained roads. In the event the stormwater IGA is terminated, or those provisions are eliminated through amendment to the stormwater IGA, the City agrees to be responsible for the operation and maintenance of those drainage facilities.
3. Roads or easements intended to be publicly accessible and/or turned over to the municipality shall contain dedication statements on final plats as shown below:

“BY RECORDING OF THIS PLAT, I HERBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON TO THE USE OF THE PUBLIC FOREVER AND I HEREBY DEDICATE THE GENERAL UTILITY EASEMENTS SHOWN HEREON TO THOSE ENTITIES WHICH PROVIDE SAID UTILITIES. NOTHING IN THIS DEDICATION SHALL BE CONSTRUED TO IMPLY AN ACCEPTANCE BY THE MUNICIPALITY OF ANY ROADWAY OR DRAINAGE FACILITY OR AS CREATING ANY DUTY BY THE MUNICIPALITY TO MAINTAIN ANY ROADWAY, RIGHT-OF-WAY OR DRAINAGE EASEMENT SHOWN HEREON.”

Roads intended to be privately maintained roads (not city, county, state, or federal) within the municipality shall contain dedication statements on final plats as shown below:

“BY RECORDING OF THIS PLAT, I HERBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON TO ALL PURCHASERS AND SUCCESSORS IN THE INTEREST OF THIS PROPERTY, I HEREBY DEDICATE THE GENERAL UTILITY EASEMENTS SHOWN HEREON TO THOSE ENTITIES WHICH PROVIDE SAID UTILITIES. NOTHING IN THIS DEDICATION SHALL BE CONSTRUED TO IMPLY AN ACCEPTANCE BY THE MUNICIPALITY OF ANY ROADWAYS OR DRAINAGE FACILITY OR AS CREATING ANY DUTY BY THE MUNICIPALITY TO MAINTAIN ANY ROADWAY, RIGHT-OF-WAY OR DRAINAGE EASEMENT SHOWN HEREON.”

4. When requested by the municipality, and to the extent the County has funding from the One Cent Sales Tax Program for routine maintenance and resurfacing, the County agrees to perform routine maintenance on publicly dedicated roads that serve residential areas within the corporate limits of the municipality, and that meet all requirements established by the County. County maintenance is subject to the procedures, practices, and limitations of routine County maintenance, such as plan reviews, permitting, inspections and the warranty process by the County on behalf of the municipality. The City agrees to not approve final subdivision plats and issue building permits until subdivision infrastructure has been placed under warranty with the County by the developer. Coordination between the City and County will occur to achieve this for all residential subdivision projects.
5. The City acknowledges that the County's maintenance does not include sidewalks, street name signs, or traffic calming structures/devices; nor does the County enforce private or municipal rules, laws, or regulations.
6. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered or are deposited with the United States Postal Service, postage prepaid, and addressed as follows:

If to the County:

County Engineer; Berkeley County; Post Office Box 6122; Moncks Corner, SC 29461

If to the City:

Director of Public Works; City of Goose Creek; Post Office Box Drawer 1768; Goose Creek, SC 29445

7. This IGA shall be recorded with the Office of the Berkeley County Register of deeds as a matter of public record.

Signed this _____ day of _____, 2024.

Gregory Habib
Mayor
City of Goose Creek

Johnny Cribb
Supervisor
Berkeley County

Witnesses as to Mayor:

Witnesses as to Supervisor:

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

PERSONALLY appeared before me _____ and made oath that they saw
the within-named representative of the City of Goose Creek sign, seal, and as her act, deliver the within-
written INTERGOVERNMENTAL AGREEEMNT for uses and purposes therein mentioned and that they,
with _____ witnessed the execution thereof.

SWORN TO BEFORE ME THIS)

)

_____ day of _____, 2024)

)

_____ (LS))

Notary Public of SC

My Commission expires: _____

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

PERSONALLY appeared before me _____ and made oath that they saw
the within-named representative of the County of Berkeley sign, seal, and as her act, deliver the within-
written INTERGOVERNMENTAL AGREEEMNT for uses and purposes therein mentioned and that they,
with _____ witnessed the execution thereof.

SWORN TO BEFORE ME THIS)

)

_____ day of _____, 2024)

)

_____ (LS))

Notary Public of SC

My Commission expires: _____

CYNTHIA B FORTE
BERKELEY COUNTY
REGISTER OF DEEDS

Po Box 6122 ~ Moncks Corner, SC 29461 (843) 719-4084

*** THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE ***



Instrument #:	2022022949		
Receipt Number:	261308	Return To:	BERKELEY COUNTY ENGINEERING
Recorded As:	MAINTENANCE AGREEMENT		1003 HIGHWAY 52
Recorded On:	June 07, 2022		MONCKS CORNER, SC, 29461
Recorded At:	11:25:50 AM	Received From:	BERKELEY COUNTY ENGINEERING
Recorded By:	HELEN SEXTON	Parties:	
Book/Page:	RB 4272: 268 - 286		Direct- GOOSE CREEK CITY OF
Total Pages:	19		Indirect- BERKELEY COUNTY

*** EXAMINED AND CHARGED AS FOLLOWS ***

Recording Fee: \$25.00
Tax Charge: \$0.00



Cynthia B. Forte
Cynthia B Forte - Register of Deeds

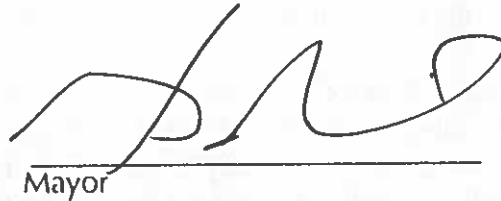
RESOLUTION NO.: R-2022-001

Authorizing the City Administrator or Mayor to execute an Intergovernmental Agreement between the City of Goose Creek and Berkeley County for acceptance of roads for maintenance

BE IT RESOLVED by the Mayor and City Council this 11th day of January, 2022, that the City Administrator or Mayor are authorized to execute the attached Intergovernmental Agreement between the City of Goose Creek and Berkeley County for acceptance of roads for maintenance.

Requested by:
Asst. City Administrator


City Administrator


Mayor

ATTEST:


City Clerk

Introduced: 1/11/2022
Final Reading: 1/11/2022

WHEREAS, The City of Goose Creek (“City”) and Berkeley County (“County”), each a “Party” and together the “Parties, deem it to be in the best interests of both Parties to enter into an Intergovernmental Agreement, (“IGA”), to establish rights, relations and responsibilities with regard to County maintained roads located in the City and the stormwater system associated the same.

KNOW ALL MEN BY THESE PRESENTS, that City and County hereby covenant and agree as follows:

1. This agreement shall become effective on the date of execution hereof by the last signatory to this IGA and it shall continue from year to year unless terminated. Either party may terminate this agreement by delivering 12 months' advance written notice of termination to the other Party's address listed below.
2. The City and County have previously entered into an IGA which provides for the collection of stormwater management utility user fees and for the day to day operation and maintenance of the City's storm drainage system including those facilities that collect and convey stormwater from County maintained roads. In the event the stormwater IGA is terminated or those provisions are eliminated through amendment to the stormwater IGA, the City agrees to be responsible for the operation and maintenance of those drainage facilities.
3. When requested, the County shall accept roads that serve residential areas within the corporate limits of the City, and that meet all requirements established by the County, for County maintenance. Acceptance is subject to the procedures, practices, and limitations of normal County maintenance.
4. The City acknowledges that the County's maintenance does not include sidewalks, street name signs, or traffic calming structures/devices; nor does the County enforce private or municipal rules, laws, or regulations.
5. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered or are deposited with the United States Postal Service, postage prepaid, and addressed as follows:

If to the County:

County Engineer; Berkeley County; Post Office Box 6122; Moncks Corner, SC 29461

If to the City:

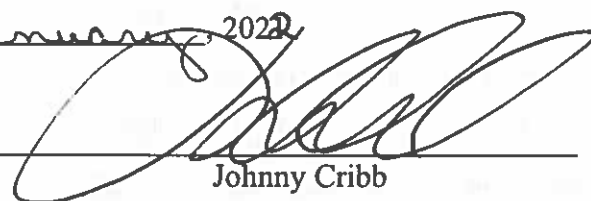
Director of Public Works; City of Goose Creek; Post Office Drawer 1768; Goose Creek, SC 29445

6. This IGA shall be recorded with the Office of the Berkeley County Register of Deeds as a matter of public record.

Signed this 11 day of January, 2022

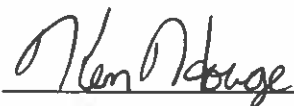


Gregory Habib
Mayor
City of Goose Creek

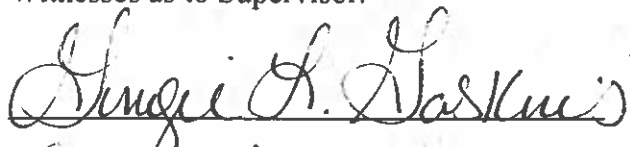
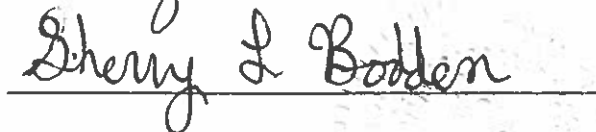


Johnny Cribb
Supervisor
Berkeley County

Witnesses as to Mayor:




Witnesses as to Supervisor:

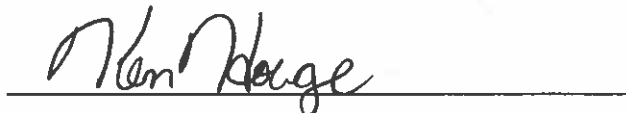



STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

PERSONALLY appeared before me Ken Houge and made oath that they saw the within-named representative of the City of Goose Creek sign, seal, and as his act, deliver the within-written INTERGOVERNMENTAL AGREEMENT for the uses and purposes therein mentioned and that they, with Kelly J. Lovette witnessed the execution thereof.

SWORN TO BEFORE ME THIS)

11 day of January, 2022)



 (LS))
Notary Public of S. C.

My Commission expires: 8/18/2026

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

PERSONALLY appeared before me Sherry Bodden and made oath that they saw the within-named representative of the County of Berkeley sign, seal, and as his act, deliver the within-written INTERGOVERNMENTAL AGREEMENT for the uses and purposes therein mentioned and that they, with Ginger L. Gaslin's witnessed the execution thereof.

SWORN TO BEFORE ME THIS)

7th day of June, 2022)

Sherry L Bodden

Ginger L. Gaslin's (LS))

Notary Public of S. C.

My Commission expires: 8/20/2025

ORDINANCE NO. 20-12-51

AN ORDINANCE TO AMEND CHAPTER 56 TO INCLUDE REVISED WARRANTY PERIOD PROVISIONS FOR SUBDIVISION INFRASTRUCTURE IMPROVEMENTS; TO EXPAND THE PROVISIONS FOR ACCEPTANCE OF PREVIOUSLY PLATTED SUBDIVISION ROADS; TO ADDRESS ACCEPTANCE OF SUBDIVISION ROADS IN MUNICIPALITIES; TO MODIFY PROVISIONS FOR TRAFFIC CALMING PROGRAM; TO INCORPORATE AND MODIFY PROVISIONS OF ORDINANCE 15-07-29; AND DELETE ARTICLE IV.- TRAFFIC IMPACT FEE.

ARTICLE I. - IN GENERAL**Sec. 56-1. - Responsibility for Maintenance.**

The Department of Roads & Bridges shall be responsible for the maintenance, upkeep and drainage of all County Roads and Bridges or other property in the County designated by the County Council.

County-owned equipment and County personnel shall not be used upon private property unless the County Supervisor, in his discretion, shall make the determination that such use would constitute a public purpose. This exception may be applied in the following circumstances:

- a) In the event of a declared national emergency or natural disaster such as floods, tornadoes, hurricanes, earthquakes, or other acts of God or manmade disasters of similar consequences, such as explosions, fires, pollution, and other dangerous conditions; and
- b) For use upon borrow pits purchased, donated or leased to the County for construction materials, and roads providing access thereto; and
- c) To clean up, repair or resurface property which has been damaged or altered by the parking, storage, or transporting of County equipment or material; and
- d) To settle or compromise litigation that is threatened or instituted because of some condition created by or for which the County is legally responsible or liable; and
- e) For temporary detours or bypasses while County roads or bridges are being constructed, repaired, resurfaced, or maintained; and
- f) To aid municipalities, special purpose districts, and special tax districts within Berkeley County in the construction, repair, or maintenance of roadways or other projects located within municipal or district boundaries; and

- g) To provide minimally necessary ingress and egress, such determination to be made at the sole discretion of the County Engineer, when a public health or medical emergency exists or upon request and certification signed by licensed medical doctor that an urgent medical need exists or by a licensed funeral director that a need exists for receiving or burial of a deceased person. The County Engineer is to furnish to the County Supervisor a statement showing the name of the property owner, the property address, the request and certification from the licensed professional, and the materials, labor, and equipment used within five (5) business days of completing such work.
- h) With the exception of the above seven instances, no use of County equipment upon private property shall be permitted, and any County official or employee violating these rules and regulations shall be subject to disciplinary action by the County Supervisor and any violations of the rules and regulations contained herein shall be reported to County Council by the County Supervisor, provided, however, nothing contained herein shall be construed or interpreted in any manner to restrict the use of County equipment for the ordinary County purposes as provided by law.

Sec. 56-2. - Placement of "Crime Watch" Signs.

The County Supervisor is empowered to authorize, by written instrument, the placement of "crime watch" signs on highway rights-of-way designating the community as a "crime watch" area. Placement, removal, replacement, alteration and site adjustment shall be accomplished in strict accordance with South Carolina Department of Transportation regulations and County encroachment permit regulations contained herein.

Sec. 56-3. - Road Standards.

The County Engineer is authorized to develop standards for design and construction of the County's roadway infrastructure. The Standards and significant amendments will be presented to the appropriate committee of County Council for adoption by resolution.

Sec. 56-4. - Encroachments.

Prior to installing encroachments within an easement or right of way maintained by Berkeley County, including roadways or drainage facilities maintained by prescription, an encroachment permit must be obtained from the Roads & Bridges Department. Regulated encroachments include, but are not limited to, roadway extensions, intersections, driveways, temporary access points, fences, signs, landscaping, and utilities.

The director of Roads & Bridges is authorized to develop forms and procedures to administer the issuance of encroachment permits.

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ARTICLE II. – ACCEPTANCE OF ROADWAYS FOR COUNTY MAINTENANCE

Sec. 56-21 – Acceptance of Roads under County Subdivision Regulations.

Roads created under the appropriate sections of the County Land Development and Subdivision Regulations meeting the requirements of the Road Standards will be accepted for maintenance.

Sec. 56-22 – Acceptance of Subdivision Roads In Municipalities.

Roads in municipal subdivisions may be accepted for County maintenance when the following requirements are met.

- a) An intergovernmental agreement (IGA) between the municipality and Berkeley County must be executed to include the terms of the acceptance for maintenance. The IGA may be executed by the County Supervisor upon the recommendation of the County Engineer; and
- b) The roads and drainage system must be designed and constructed in accordance with the Road Standards; and
- c) The road must connect to at least one federal, State, County, or municipally-maintained roadway.

Sec. 56-23 – Acceptance of Previously Platted Subdivision Roads.

A roadway constructed in a previously platted subdivision, but maintained privately, may be accepted for County maintenance when the following requirements are met. The applicant must submit a written request to the County Engineer including all the following:

- a) Street name(s); and
- b) Subdivision name; and
- c) Recorded subdivision plat; and
- d) Applicant and contact information including name, address, phone number, and email address; and
- e) Entity assuming financial responsibility for costs associated with the request; and
- f) Application fee of \$500.00.

The County Engineer or designee will subsequently:

- a) Conduct a preliminary record search; and
- b) Conduct a visual investigation of the roadway and drainage infrastructure; and
- c) Prepare a letter of preliminary findings to the contact person including requirements for additional rights of way and/or easements, and requirements for detailed investigations including geotechnical investigation and testing, and video inspection of pipelines and structures; and
- d) Prepare an estimate of the costs for detailed inspection.

If the applicant chooses to pursue the acceptance process further, they will submit the following:

- a) Inspection fees as determined by the preliminary findings; and
- b) An as-built survey or record drawings in accordance with the Road Standards; and
- c) A report of a geotechnical investigation, including recommendations for corrective actions in accordance with the requirements of the preliminary findings; and
- d) Digital video and a report of a video pipeline investigation, including recommendations for corrective actions in accordance with the requirements of the preliminary findings.

Upon receipt of all required documentation, the County will perform a detailed inspection of the constructed roadways and drainage system and provide a list of deficiencies which must be corrected. Deficiencies must be corrected within six months, unless additional time is allowed, or a new inspection will be required, including a re-inspection fee.

The applicant will advise the County Engineer in writing when deficiencies have been corrected and will request a final inspection. The County Engineer or designee will perform a final inspection. Any remaining deficiencies must be corrected within 60 days or a new inspection will be required, including a re-inspection fee.

When deficiencies are corrected, the infrastructure will be placed under warranty in accordance with the Road Standards.

Sec. 56-24 – Warranty Period and Financial Guarantees.

Roads being accepted for County maintenance shall be subject to a warranty period prior to acceptance. The subdivider or other responsible party shall guarantee the completed roadways and drainage system improvements against defects in function, workmanship, and materials for a minimum of three years following acceptance of such improvements under warranty.

The warranty period for residential roadways shall be extended by 12 months after certificates of occupancy are issued for 75 percent of the residential units, but in no case shall the total warranty period be less than three years.

The subdivider or other responsible party shall furnish a non-expiring cash bond, letter of credit, or other acceptable security to the County guaranteeing the maintenance of the improvements and correction of deficiencies during the warranty period.

The security shall empower the County to draw on the posted funds to correct deficiencies which the subdivider or other responsible party does not correct in a timely manner.

The security shall be in an amount equal to 30 percent of the cost of the completed roadway and drainage system construction.

Sec 56.-31 - Acceptance of Roads other than Subdivision Roads.

This section establishes a procedure for accepting roads other than subdivision roads for County maintenance which consists of the standards, limitations and requirements as set out in this article.

Sec. 56-32. - Eligibility for Acceptance.

A roadway which was in existence in December 1980, which has been regularly used for vehicular travel since December 1980, will be eligible for acceptance into the County road system for maintenance under this article only after meeting all the following requirements:

- a) The roadway must serve at least three qualifying units situated on separate parcels owned by separate individuals. For purposes of this article, a qualifying unit shall be defined as:
 - (1) conventional type detached house used as a permanent residence
 - (2) A conventional type duplex used as a permanent residence.
 - (3) Two mobile homes owned by separate individuals and used as permanent residences.
 - (4) An apartment building having three or more units used as permanent residences.
 - (5) A manufactured house (including doublewides) which is set upon a concrete and/or masonry foundation and used as a permanent residence.
 - (6) A church duly incorporated pursuant to the laws of the state and tax exempt pursuant to the Internal Revenue Service which has been using the particular location as its principal place of worship for a continuous period of at least 12 months immediately preceding consideration.
 - (7) An incorporated business establishment existing and/or licensed to do business pursuant to the laws of the state which possesses a valid State sales tax or federal identification number and has been doing business at the particular location for a continuous period of at least 12 months immediately preceding consideration.
 - (8) An unincorporated business establishment which possesses a valid State sales tax or federal identification number and has been doing business at the particular location for a continuous period of at least 12 months immediately preceding consideration.
- b) The roadway must serve at least six qualifying units per mile of roadway.
- c) The roadway must connect to at least one federal, State, County or municipal roadway.
- d) The roadway must be constructed to meet the minimum standards described in this article.

Sec. 56-33. - Limitations.

Limitations under this article are as follows:

- a) The roadway must have been in existence in December 1980 and have been regularly used for vehicular travel since December 1980.
- b) In case of a dead-end road, the county maintenance will not extend more than 150 feet beyond the next-to-the-last qualifying unit, or nearer than 100 feet to the last qualifying unit, whichever is least. The point of ending county maintenance shall be determined by the County Engineer based on this limitation and site-specific conditions.
- c) No county-maintained roadway may be barricaded in any way or be posted with any sign such as "Private," "Posted," "Keep Out," or any other similar sign. The roadway shall always remain open for use by the public.
- d) All roadways accepted by the County for maintenance under the terms and conditions of this article will be conditionally accepted for a period of three years. If at any time during this probationary period any of the eligibility requirements for acceptance cease to exist, the roadway may be abandoned by resolution of County Council, in which case the roadway shall revert to the original owners, and the County shall no longer be responsible for any maintenance thereof. Improvements beyond normal maintenance shall not be considered for roadways during the probationary period.
- e) An extension to any existing County-maintained road may be accepted into the county system for maintenance when the proposed extension serves at least two additional qualifying units and all other requirements of this article and/or other applicable ordinances are met.
- f) The total length of roadways accepted for maintenance under the terms and conditions of this article shall not exceed 3.0 miles in any given fiscal year.

Sec. 56-34. - Minimum Roadway Standards.

All roadways accepted for maintenance under this article shall meet the following minimum standards:

- a) A 50-foot wide right-of-way (25 feet from the centerline of the roadway in either direction) must be tendered by all property owners along the roadway. This may be reduced to a 30-foot-wide right-of-way due to extenuating circumstances at the discretion of the County Council. Additional easements and/or rights-of-way may be required at the discretion of the County Supervisor, upon the recommendation of the County Engineer, in order to ensure proper maintenance. Further, it will be the responsibility of the property owner to remove any fence, building, tree, or other obstruction within the right-of-way before acceptance by the county.

- b) The roadway shall have a cross section consisting of a travelway at least 18 feet wide having a 4.5-inch crown, and sideline ditches having a front slope not steeper than 3:1 and a back slope not steeper than 1.5:1. Through roads and roads serving more than ten qualifying units shall have a travelway at least 22 feet wide with a 5.5-inch crown.
- c) Driveway pipes and crossline culverts shall be provided by the property owners at required locations. Driveway pipes shall be reinforced concrete or smooth wall HDPE pipe at least 15 inches in diameter and crossline culverts shall be reinforced concrete pipe at least 18 inches in diameter.
- d) Outfall ditches or pipelines shall be provided to convey runoff from the roadway right-of-way to existing streams or publicly maintained drainageways. Drainage facilities and easements must meet the requirements of Chapter 59, pertaining to subdivisions, as well as Chapter 11, Article III, pertaining to storm drainage facilities.
- e) The travel-way must be stabilized with a stabilizing type soil, earth type base material, aggregate base course, or other material acceptable to the County Engineer. All roads must serve expected traffic needs in all types of weather from dry conditions to extremely wet conditions.
- f) Road name signs and traffic signs will be installed by the county at the property owner's expense.
- g) Adequate sight easements must be provided at curves and intersections.
- h) Additional construction requirements may be imposed due to site-specific considerations.

Sec. 56-35. - Procedure for Acceptance.

The procedures in this section are to provide for the acceptance of dedicated roads and streets which are not within the provisions of Chapter 59 or elsewhere in Chapter 56 and the Road Standards, pertaining to subdivisions, and shall be the exclusive procedure for the acceptance of such roads by the supervisor.

- a) No road or street shall be accepted by the County Supervisor unless the owners of the property across which the road passes first petition the supervisor on the form prescribed by the County Council.
- b) Prior to preparing a petition, the interested parties shall confer with the County Engineer in order to establish the eligibility of the road for acceptance under this article. A letter confirming or refuting the eligibility shall be provided, along with pertinent facts related to the determination.

- c) Any petition for the acceptance of a road by the County must be accompanied by, and have attached thereto, a plat of the property across which the road runs. The plat shall show the location of the road itself and its right-of-way. The plat should also have drawn thereon, in red, lines indicating the routes and directions of the flow of drainage courses. All such plats shall be prepared by a licensed land surveyor or engineer.
- d) No petition for the acceptance of roads will be acted upon unless the form for that purpose is fully and properly completed and signed and has a proper plat of the road attached thereto.
- e) Prior to acceptance of the road by the County Supervisor, the County Engineer or designee shall personally inspect the road and its drainage. After inspecting the road, the County Engineer shall supply the information required and sign his name on the petition to indicate he has made such an inspection. The signature of the County Engineer shall not, in itself, indicate his approval or disapproval of acceptance.
- f) The recommendation of the County Engineer as to the acceptance of the road shall be for information only and shall not be binding on the County supervisor.
- g) After the County Engineer has inspected the road, supplied the required information, and signed his name to the petition, the county supervisor shall review the petition and plat, and may personally inspect the road.
- h) If the County Engineer has indicated that either the travelway or the drainage of the road does not meet or exceed county specifications, the County Supervisor shall not sign his approval of the acceptance of the road.
- i) All roads must meet minimum standards for County roads as to width of travelway, width of right-of-way, type of construction, and sufficiency of drainage before acceptance by the County Supervisor. Any variance from these standards shall be allowed only upon approval by the County Council.
- j) After the County Supervisor has personally signed his provisional acceptance of the road, the owners of the property across which the road and all drainage easements pass must submit a properly executed deed conveying the road and easements, if any, to the County Supervisor, who shall forward the deed, along with the completed petition and plat, to the County Attorney for approval as to form and title. The approval of the County Attorney shall be only as to the form of the deed and title to the property. He shall have no authority as to the actual acceptance of the road.
- k) Following approval by the County Attorney and final approval by the County Supervisor, the petitioners shall record the deed in the office of Register of Deeds for the County. All costs of preparation, execution, and recording of a deed of a road to the County shall be assumed by the petitioners.
- l) The original of the petition and plat shall be filed at such place as is directed by the County Council.

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- m) No road shall be deemed accepted by the County until the deed has been recorded as stated in this section and the petition and plat, properly completed and signed, have been properly filed as directed by the County Council.
- n) The procedures in this section for the acceptance of roads shall apply to all applicable roads not formally accepted before the date of adoption of the ordinance from which this article is derived.

ARTICLE III. – STREET NAMES AND PROPERTY NUMBERS

Sec. 56-61. - Penalty.

Any person violating any provision of this article or otherwise failing to comply with the terms of this article shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$500.00 or imprisoned for no more than 30 days for each violation. Each day in violation shall constitute a separate offense.

Sec. 56-62. - Jurisdiction.

The regulations set forth herein shall apply only to those properties, buildings, streets and public or private roads which are within the unincorporated areas of Berkeley County.

Sec. 56-63. - Nonduplication of Names.

Street or road names shall not duplicate names already in use within the county or in use within any municipality located in the county. Further, street or road names shall not duplicate names already in use within the same zip code area, even if the name in use is outside of Berkeley County. Duplication occurs whenever two names are phonetically similar or similarly spelled. In order to avoid duplication, each municipality located inside Berkeley County must have future road names approved through the Berkeley County E-911 addressing department.

Sec. 56-64. - Naming of Existing Unnamed Street or Road.

Existing unnamed streets or roads shall be named by the Berkeley County E-911 Addressing Department or Berkeley County E-911 Coordinator.

Sec. 56-65. - Change in Name of Existing Street or Road.

Names of existing streets or roads may be changed:

- a) By the Berkeley County E-911 addressing department whenever it is discovered that two or more streets or roads within the county or within a zip code area have duplicate names; or
- b) By petition of 75 percent of the property owners whose property fronts the road to be changed, in accordance with guidelines as promulgated by the E-911 addressing department.

Sec. 56-66. - Naming of New Streets and Roads.

Any person laying out or creating a new street or road that is not within a subdivision, as defined in S.C. Code, 1976, § 6-7-1010, as amended, shall first get the approval of the Berkeley County E-911 addressing department before naming the street or road. The county E-911 addressing department shall approve any such proposed name if the name meets the requirements of this article and of the guidelines as promulgated by the E-911 addressing department.

Sec. 56-67. - Naming of Streets and Roads in Subdivision.

- a) Any person laying out or creating a new street or road that is within a subdivision, as defined in S.C. Code, 1976, § 6-7-1010, as amended, shall first get approval of the Berkeley County E-911 Addressing Department before naming such street or road on any plat or by any marking or in any deed or instrument. The county E-911 addressing department shall, by proper certificate, approve and authorize the proposed name if the name meets the requirements of this article and of the guidelines contained in "Exhibit A".
- b) The Berkeley County E-911 addressing department may change the name of any street or road that is within a subdivision, as defined in S.C. Code, 1976, § 6-7-1010, as amended; provided, however that this process shall comply with the provisions of S.C. Code § 6-7-1110, as amended.
- c) Roads in new developments shall be named during the subdivision approval process. A list of proposed road names shall be submitted to the Berkeley County E-911 addressing office by the owner/developer at the time of application for subdivision approval.

Sec. 56-68. - Altering, Defacing, or Removing Street or Road Sign.

No person shall alter, deface, or remove any street or road sign which has been placed on any property in accordance with this article; provided, however, the Berkeley County Roads and Bridges Department may remove a sign for repair or replacement purposes. Street signs located in a subdivision shall be installed by the developer.

Sec. 56-69. - Address Numbers.

- a) The Berkeley County E-911 addressing department shall assure that all principal dwellings and buildings within the unincorporated areas of Berkeley County have been assigned an address.
- b) The Berkeley County E-911 addressing department shall develop and maintain a uniform system of addressing properties and principal buildings, which shall be known as the "Guidelines for Addressing in Berkeley County". These guidelines may be changed from time to time and shall be used by Berkeley County E-911 addressing department in designating addresses for properties as required by this article. The Berkeley County E-911 addressing office shall have the authority to deviate from these standards as necessary to ensure the safety of the general public.

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- c) Once a dwelling or building has been assigned an address, the property owner, occupant, or agent shall display the address number in a conspicuous place immediately above, on or at the side of the main entrance of the dwelling or building so that the number can easily be seen and read from the street. Address numbers shall be posted on such dwelling or building within 21 days after receipt of notification of the assignment. The property owner shall be responsible for the cost of the number(s).
 - (1) Residential numbers shall not be less than four inches in height. Business numbers shall not be less than eight inches in height. All numbers shall be made of durable and clearly visible material which is in a contrasting color to the building.
 - (2) Whenever the dwelling or building is more than 50 feet from the street or road, or whenever the number is not clearly visible from the street, the property owner, occupant, or agent shall also display the number near the walk, driveway, or common entrance to the building so as to be easily discernable from the street or road.
 - (3) Any owner, occupant or agent of property which has a curbside mailbox shall display the address number on both sides of the mailbox. The number shall be displayed in such a manner as to be clearly visible at all times.
- d) Tax maps of all streets, road, and public ways within the county showing the proper address of all dwellings or buildings shall be kept on file in Berkeley County E-911 addressing department for the purpose of facilitating correct numbering.
- e) It shall be the responsibility of the property owner to obtain an official address from the Berkeley County E-911 addressing department prior to building or locating any dwelling residential or commercial on the proposed site. An official address will not be assigned without a septic tank approval letter from department of health and environmental control (DHEC) or a letter verifying sewer availability from the correct provider, whether it is Berkeley County Water and Sewer Authority (BCW&SA), commissioners of public works (CPW) or a municipality. If there is an existing septic tank on the property that will be utilized, the owner will be required to provide an "As-Built" drawing depicting the current septic tank and drain lines per DHEC policy memorandum dated October 20, 2009. This drawing must be prepared by a licensed septic tank installer with signature and license number. No building permit shall be issued until the owner has obtained this address.
- f) Addresses will not be assigned in a subdivision until the final plats have been recorded in the register of deeds department and new TMS numbers assigned by the Berkeley County Real Property Services Office, formerly known as tax assessor's office. Temporary addresses will be avoided as much as possible. It will be the developer's responsibility to get plats recorded in a timely manner, so as to be able to have addresses assigned as they are needed.

- (g) The owner, agent or manager of all mobile home parks, apartment developments, office parks and condominium developments shall post their assigned address number at the main entrance to their facilities so that the number can be easily seen and read from the street or road.

ARTICLE IV. - TRAFFIC IMPACT FEE (Repealed)

ARTICLE V. - TRAFFIC CALMING PROGRAM

Sec. 56-141. - Requirements for a Street to Qualify.

Before a traffic calming device can be installed on a residential street in the county, the street must meet the following requirements:

- a) Be a County maintained, local, residential, paved, public street with a minimum 50 feet of right-of-way and minimum 20 feet of travelway; and
- b) Have a speed limit of 25 miles per hour, or less; and
- c) Be entirely within the County boundary line; and
- d) Have average speeds that exceed the posted speed limit; and
- e) Have a minimum average daily traffic count of 350 vehicles and a maximum average daily traffic count of 4,000 vehicles; and
- f) Have 85 percent of the residents living within the impacted area, as determined by the County Engineer or designee, sign a petition requesting the traffic calming device and appointing a contact person for the request. The petition must identify the specific proposed location(s) of the traffic calming device(s). All residents within 200 feet of the proposed location(s) must sign in support of the request.

Sec. 56-142. - Procedure for Obtaining Traffic Calming Device.

If a homeowners' association (HOA), neighborhood group, or resident of a residential street in the County desires a traffic calming device be installed on a street within their community, they should have a reasonable belief that the street meets the requirements listed in section 56-141 and then submit a completed application to the County Engineering Department. Once the application is received, the County Engineering Department will:

- a) Confirm the requirements in section 56-141 are met; and
- b) Determine if a traffic calming device is warranted and, if so, the most appropriate traffic calming device, including all related signage, for the request; and
- c) Determine the most appropriate location for the device and confirm that location, in writing, with the contact person for the request; and
- d) Provide a written cost estimate for the design, installation, signage, and construction of the device to the contact person for the request; and
- e) Once payment in full has been made by the requesting party to the County, the County Engineering Department and/or the County Roads and Bridges Department shall schedule the installation of the device.

20-12-51

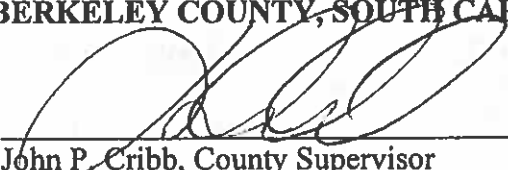
Sec. 56-143. - Miscellaneous.

- a) The County shall not be obligated to re-install or construct additional traffic calming devices if that device is damaged, destroyed, or removed; and
- b) This section shall be construed and interpreted in accordance with the laws of the state; and
- c) This section shall become effective immediately upon approval following third reading by the county council; and
- d) The provisions of this section are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, that declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder; and
- e) All ordinances, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

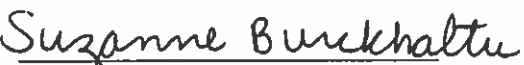
ADOPTED this 14th day of December, 2020.

[SEAL]

BERKELEY COUNTY, SOUTH CAROLINA


 John P. Cribb, County Supervisor
 Chairman, Berkeley County Council

Attest:


 Suzanne Burckhalter
 Clerk to Berkeley County Council

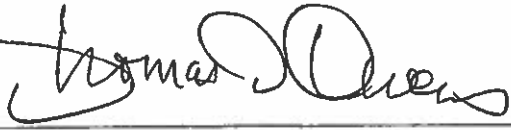
Approved as to form:


 John O. Williams, II
 Berkeley County Attorney

First Reading: June 22, 2020
 Second Reading: October 26, 2020
 Public Hearing: December 14, 2020
 Third Reading: December 14, 2020

20-12-51

MEMBERS OF COUNTY COUNCIL



THOMAS D. OWENS

Voting Aye



BRANDON COX

Voting Aye

Excused

JOSHUA S. WHITLEY

Voting —



JACK H. SCHURLKNIGHT

Voting Aye



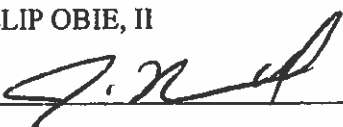
PHILLIP OBIE, II

Voting Aye



CALDWELL PINCKNEY, JR.

Voting Aye



JOE T. NEWELL

Voting Aye

Excused

STEVE C. DAVIS

Voting —