

# Moratorium Session 5

Marshfront Development  
Proposals: September 24, 2018  
Folly Beach Planning Commission

# 2018 Marsh Management Plan

- The Land Use proposals are meant to be included as one element of the Marsh Management Plan.
- The Marsh Management Plan will also include a broader range of management issues and solutions related to the marsh as well as scientific, economic, and historical data related to this resource.

The background features several sets of curved lines in the top-left and bottom-right corners. These lines are in shades of light gray and include both solid and dashed styles, creating a sense of movement and depth.

## Land Use Regulation Areas for Marsh front Properties

- Setbacks/buffers
- Public Access and Views
- Seawalls and Docks
- Flooding and Sea Level Rise
- Marsh Island Zoning

# Setbacks and Buffers

- Section 166.04-03 currently requires a 10' impervious surface setback from the critical line.
- Setbacks from the marsh are primarily for storm water benefits vs the beach setbacks which are geared towards erosion protection.
- Staff proposes that the setback from the critical line be increased to 20' from the current 10'. There is available map of the critical line.
- Staff proposes that the setback also be applied to pervious surfaces to eliminate disturbance of natural areas within the setback.
- Staff recommends that for new construction and substantial improvements, a natural buffer be included within the setback to include appropriate plantings of shrubs, grasses, and other plants for filtration and runoff management.

## Access/Views

- Section 166.10-04 prohibits prohibit lights shining directly on the Folly River, but this is vague and hard to enforce.
- Staff recommends that Section 166.10 Exterior lighting be amended to create marsh front lighting requirements that are similar to the beachfront lighting rules. This would reduce light pollution and preserve the views across the marsh to and from Folly Island (particularly if the marsh islands are developed).
- Lighting requirements would not be as stringent as the beach, but similar.
- Section 166.08.03 prohibits signs in the marsh. Existing signs that were grandfathered in during annexation into the City have been allowed to remain.
- Staff recommends that these signs be amortized over an appropriate period and removed from the marsh.

## Seawalls and Docks

- Section 151.23 Construction Standards for Seawalls is geared towards seawalls/bulkheads on the beach and does not address seawalls/bulkheads on the marsh.
- OCRM is developing a regulatory review/best practices guide for living shorelines along the marsh.
- Staff recommends that, at the time OCRM has established a procedure and criteria for review, no permit for a seawall landward of the critical be approved without an evaluation of alternate methods of erosion control.
- Docks to West/South of Folly Road begin in Charleston County and end in Folly Beach. Staff recommends that no new building permit or change of use permit be issued for docks in this area without a letter of coordination from the County.
- Staff recommends that Folly Beach Zoning be amended to clarify that private docks are an allowable use in the CN Zone.
- Staff recommends that all new seawall and dock permits be tied to a mitigation contribution to Marsh Mitigation Bank.

## Sea Level Rise

- Staff recommends that our Flood Protection Ordinance be amended to establish a 2' freeboard requirement instead of the current 1'.
- Freeboard is an additional elevation above Base Flood Elevation. Although preliminary flood maps indicate that Base Flood Elevations are falling across the island, the frequency and intensity of storm events is increasing. Additional freeboard requirements will also contribute to Folly Beach's Community Ratings System scoring.
- Staff recommends that an exemption be created for previously conforming homes built to the current maximum height. Folly measures height from BFE. Our ordinances did not anticipate a falling BFE on any future flood map.

# Marsh Island Zoning

- Staff recommends that the marsh islands to the East/North of the causeway be rezoned to a new Marsh Island zoning district that mirrors the County zoning on the largest of the marsh islands on the other side of Folly Road (Coles Island).
- Max Density: 4/**3** units per acre.
- Minimum Lot Area: 10,500/**14,500** square feet.
- Minimum Lot Width: 70/**70** feet.
- Setbacks: Front 10/**25** feet, Rear 10/**25** feet, Side 10/**15** feet, Critical Line 10/**35** feet.
- Max Lot Coverage: 35/**30** percent of high ground.
- Max Height: 35 feet above BFE.
- Allowable Uses: Single Family and associated Accessory Uses



## Marsh Island Zoning

- Staff recommends that the City rezone portions of Bowen's Island to the new Marsh Island zoning instead of the current Island Commercial. Commercial zoning could be maintained for the restaurant and adjacent parcels.
- Staff recommends that the City/County adopt Memorandum of Agreement to coordinate for any permits granted on the marsh islands in the County's jurisdiction.
- Staff recommends that the City require a letter of coordination from OCRM for any development proposed on marsh islands. This would be a verification that the proposed development conforms with State law regarding marsh island development.

# Questions?

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