

October 14, 1998

Regulatory Branch

Mr. William B. Gore
City of North Charleston
Post Office Box 190016
North Charleston, South Carolina 29419

Dear Mr. Gore:

This is in regard to the proposed project by the South Carolina State Ports Authority (SPA) to develop a marine cargo terminal on Daniel Island in the City of Charleston, Berkeley County, South Carolina. The entire project will include the following components: approximately 1,300 acres of port terminal development at the south end of Daniel Island, approximately 7,000 feet of wharf and berthing area on the Cooper River and approximately 5,000 feet of wharf and berthing area on the Wando River, approximately 35 acres of dredged berthing area, associated improvements to the Wando River and Hog Island Channels, approximately 2.5 miles of multi-lane roadway construction between the proposed terminal site and Interstate 526, approximately 12 miles of rail connecting the proposed terminal facilities to the East Cooper and Berkeley Railroad, and a rail bridge and road bridge over Beresford Creek.

As you are aware the Corps of Engineers is preparing an Environmental Impact Statement (EIS) on the project. An important step in the EIS process is identifying and evaluating reasonable alternatives to the project. The alternatives under study include other locations where the proposed terminal facilities might be developed, alternative routes for the proposed rail line, and alternative routes for the proposed access road. At present, the alternative terminal sites are: 1) the combination of the Wando River and Cooper River sides of Daniel Island, 2) the combination of the Navy Base and the Wando River side of Daniel Island, and 3) the combination of the Navy Base, the Cooper River side of Daniel Island and the Columbus Street Terminal. The SPA's proposed rail route is shown in pink on the attached map. The proposed alternatives to that route are shown in green on the attached map. With regard to proposed road access, the SPA proposes a route adjacent to the rail route from the Daniel Island terminal to Interstate 526. An alternative to that route is being evaluated that is shown on the attached map as that portion of the line 3A from Daniel Island to Interstate 526.

The purpose of this letter is to request that you review the attached information and provide this office with information on any conflicts that the project and each of its alternatives may have on any zoning ordinances in your jurisdiction. It is further requested that, if such a conflict exists, you provide this office with a description of the extent of any conflicts, any potential possibilities that may resolve these conflicts, the seriousness of any such conflict, and how much any such conflict will impair the

effectiveness of land use control mechanisms for the area. This information is needed in order to fully document the impacts from the project or its alternatives in the EIS; therefore, it is requested that this information be provide by November 13, 1998.

If you have any questions regarding this matter, you may contact Ms. Tina Hadden of my staff at 843-727-4613.

Sincerely,

Robert H. Riggs
Chief, Regulatory Branch

Enclosure

OCT 19 1998

Concur: MGS
T. HADDEN
/COP/4613

RIGGS/CO-P

OCT 23 1998



*City of
North Charleston*
SOUTH CAROLINA
DEPARTMENT OF PLANNING & MANAGEMENT

October 22, 1998

Robert H. Riggs
Department of the Army
Charleston District, Corps of Engineers
334 Meeting Street
P.O. Box 919
Charleston, SC 29402-0919

Dear Mr. Riggs:

I'm in receipt of your October 14, 1998 letter concerning possible alternate sites for the State Ports Authority's proposed maritime cargo terminal. Per your request, I have enclosed a copy of the pertinent section of our Zoning Ordinance. As you can see, our Zoning Ordinance flatly prohibits the development of maritime cargo facilities in any area that is a part of a tax increment finance district such as the former Charleston Navy Base. Any alternatives which show maritime cargo facilities being proposed for the former Charleston Navy Base will present a serious conflict with our Zoning Ordinance. I know of no potential resolution to this conflict.

Please do not hesitate to contact me if you need additional information to complete your evaluation.

Sincerely,

William B. Gore
Director

NORTH CHARLESTON CODE

stacking of containers and the character, permitted uses, and actual uses of neighboring or nearby properties, will not substantially injure the actual or permitted uses of the neighboring or nearby properties; and provided that such uses are separated from any adjoining uses or public or private rights-of-way, excluding points of ingress or egress, by suitable opaque planting screen, or wall sufficient to screen neighboring or nearby property from the container storage facility, and in no event less than eight (8) feet in height above finished grade. Any such conditional use shall be required to adhere to the height limits for stacking of containers proposed in its application for conditional use.

(b) *Conditional uses:* The following uses shall be permitted on a conditional basis in any M-2 zoning district subject to the stated conditions:

1. Open storage of junk or salvage materials or processing or recycling of such materials, provided that such uses are enclosed and separated from any adjoining uses or public or private rights-of-way, excluding points of ingress or egress, by a fence or wall at least eight (8) feet in height and screened with vegetative material sufficient to conceal all such uses from public view.

(Ord. No. 1990-34, 6-28-90; Ord. No. 1992-37, § 1, 10-8-92; Ord. No. 1995-59, 11-11-95)

Section 5-6.1. Restrictions on maritime cargo uses in areas which are designated as tax increment finance districts:

Notwithstanding any other provisions of the zoning or other ordinances of this city, maritime cargo uses, including but not limited to containerized shipping and break bulk handling of cargo, shall not be allowed in portions of zoning districts in which they would otherwise be allowed, if that area is a part of a tax increment finance district whether established by action of city council or by operation of state law under authority of the Military Facilities Redevelopment Act, except as an ancillary use, on site with and clearly subservient to the principal use which it serves.

(Ord. No. 1995-3, 2-23-95)

Section 5-7. PD, Planned development district:

It is the intent of this section that the PD zoning district is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character, and quality of new development; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic features of open areas.