



**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA  
LAND USE & NATURAL RESOURCES COMMITTEE OF COUNCIL**

Thursday, July 21, 2016

Committee met at 8:30a.m., this date, at Town Hall, 2050-B Middle Street, all requirements of the Freedom of Information Act having been met. Present were Committee members Councilmember Rita Langley (Chair), Mayor Pat O'Neil and Councilmember Chauncey Clark; Staff: Zoning Administrator Henderson and Asst. to Administrator Darrow.

- 1. Call to Order.** Chair Langley called the meeting to order, stated the press and public were duly notified pursuant to state law and all members were present; 13 audience members (1 media).
- 2. Meeting Agenda: Committee accepted published agenda with no changes**
- 3. Ordinance 2016-06: On-site Stormwater Management Plan for Island-wide Properties**

**Background:** Ordinance 2016-06 is a result of Planning Commission study and recommendations regarding stormwater management plans for all on-island properties, management plan to be triggered by certain on-site improvements (improvement cumulatively 625sf or greater). Ordinance 2016-6 received First Reading approval at the July 19, 2016 Council meeting. Committee is tasked to review Ordinance 2016-6 for clarity and recommendation to Council for Second Reading.

Zoning Administrator Henderson reviewed potential language changes to Section 21-17(b) as outlined in **Exhibit A** herein (track changes). The phrase "lot area" is a clearly defined term in the Town's ordinances, referring to a property's high-land. Committee made grammatical changes, only, to ordinance language in Exhibit A.

Committee clarified Staff would establish a mechanism to track smaller improvements less than 625sf in size, and, how maintenance of existing impervious surface under roof structures would be handled. Zoning Administrator Henderson replied Staff would track smaller improvements through the building plans review/permitting process, and, would have latitude to work with residents on maintenance of existing impervious surfaces such as replacement of a concrete slab under a house.

**Chair solicited public comments; none offered.**

**MOTION: Mayor O'Neil recommended Council approve language in Exhibit A, including minor grammatical changes, with Second Reading of Ordinance 2016-6; seconded by Councilmember Clark; MOTION UNANIMOUSLY PASSED**

#### **4. Historic Preservation and Historic Design Guidelines: Review Design Review Board input and discuss strategies**

Zoning Administrator Henderson reviewed results of DRB study of historic design guidelines. Two questions DRB asked and their recommendations:

##### **(1) Should we create historic design guidelines?**

###### **DRB does not recommend Design Guidelines:**

A. Current process is sufficient in the design review process (use of Secretary of Interior Standards); Sullivan's Island CC District has very few historic structures; and the Island's residential structures are unique and subject to case-by-case review

B. Submit creating new historic design guidelines would be a lengthy and expensive project

##### **(2) How do we stop elevation of historic homes?**

###### **DRB offers three options regarding elevating historic homes:**

**Option 1:** Increase development incentives by amending Sections 21-20 and 21-43 to increase maximum square footage of historic homes from 1200 to 1400sf (or higher/no square footage cap), as an accessory dwelling unit (ADU), with the condition of no home elevation. Also amendment could allow for reconstruction of the ADU if destroyed, and, also allow for area increases.

Staff noted that the maximum total square footage for residential construction would still apply on a lot: i.e. 4000sf maximum construction could include 2000 sf historic structure and 2000sf new home.

**Option 2:** Create a new standard or guideline to regulate elevating historic homes: draft language offered from DRB study attached as **Exhibit B**.

**Option 3:** Defer until release of the new FEMA flood maps, due in September 2016  
Staff suggests the new flood maps may change flood designations favorably for the Island, offering relief for many historic homeowners.

###### **Committee Discussion: Elevation of Historic Homes**

Zoning Administrator Henderson:

- Currently there is no written process for the elevation of homes
- FEMA advocates for elevation of historic homes to base flood elevation (BFE) and DRB allows for additional elevation, up to 4ft above BFE, on case-by-case basis.
- DRB guidelines for reviewing the elevation process would be from an aesthetic perspective and the structure's orientation on the lot.
- Draft language (**Exhibit B**) would codify the current unwritten process conducted between Staff and the DRB.

**MOTION: Mayor O’Neil recommends Council task the Planning Commission to study and offer recommendations to Council on the elevation of historic homes, using Exhibit B language as a starting point, and incorporating DRB input; seconded by Councilmember Clark; MOTION UNANIMOUSLY PASSED**

**Chair solicited public comments:**

*Tim Reese* (305 Station 20) recommended eliminating the maximum square footage requirement for ADU’s; noted many residents are allowed to purchase two insurance policies for structures on lots.

*John Winchester* (2720 Brooks Street) clarified the Planning Commission’s task for aforementioned motion, noting historic guidelines were not mentioned.

**Committee noted it would address the matter of historic guidelines next.**

*Pat Ilderton* (DRB member) noted the elevation of historic homes is not a pressing, immediate problem for the DRB at present; however, it needs to be addressed soon.

**Seeing no additional public comments, Chair Langley closed comments**

**Committee Discussion: Historic Guidelines**

Committee noted the Town’s ordinances specifically list the Secretary of Interior standards but not the national Guidelines (it is referenced in the Zoning Ordinance).

Staff noted the Guidelines are referenced in the DRB review process but this is not codified.

Question posed is whether the Town should develop island-specific design guidelines, or modify its policy to formalize DRB review of national historic guidelines with applicant submittals, or some other solution.

Committee identified the following positive attributes to codified historic Guidelines:

- a.) continuity of knowledge/information for the DRB Board as members rotate on/off the Board,
- b.) provide Staff with formalized guidelines to deal with highly unusual design proposals,
- c.) formalize the current review process already conducted by Staff and DRB

Committee identified pitfalls of codified historic Guidelines:

- a.) ordinances can be rigid and less flexible, requiring variances to allow for case-by-case situational accommodations,
- b.) uncertain whether any ordinance can legislate “good design;” Can ordinances ensure the eclectic mix of structures on the Island?

Committee sought a compromise on the two approaches (ordinance vs. no ordinance):

- Noted there are different views for the term “objective intent”
- How can the Town demonstrate its serious approach to historic preservation unless it can demonstrate that written principles are established and routinely followed?

- Enhance ability for DRB’s decisions to be defensible when challenged by private property owners
- Intent is not to hamstring DRB, which has been doing a good job, but establish a starting point for historic preservation while allowing opportunities for the DRB to deviate from guidelines based upon island-specific issues

**MOTION: Mayor O’Neil recommends Council task the Planning Commission to study and offer findings and recommendations to Council on the current DRB and Staff process for reviewing improvements on lots with historic homes, and, potential island-specific historic guidelines, to include soliciting DRB input; seconded by Councilmember Clark; MOTION UNANIMOUSLY PASSED**

**5. Town Comprehensive Plan (2018 Update): Discuss timeline and funding for Plan review and update**

Zoning Administrator Henderson:

- SC Code Title 6, Chapter 29 requires a rewrite of a Town’s strategic long range plan every 10 years; Town is due for full 10-year review in 2018. Previously the Town has used the BCD-COG as a resource in crafting the Comprehensive Plan.
- Town has done an excellent job in fulfilling most of the goals articulated in the 1998, 2008 and 2013 (interim) Plans.
- Staff has identified this significant Town project to raise Committee awareness that the project should start Spring 2017, and, to seek Committee guidance on formatting and framework. The review process will include public feedback/input and Planning Commission review.

**Retain Comprehensive Plan Update (2018) on Committee’s next agenda**

**6. Tree Pruning Ordinance: Review Tree Commission Recommendations**

Zoning Administrator Henderson: resident questioned guidelines for regulating tree pruning; Town ordinances do not regulate this activity

Tree Commission reviewed tree pruning regulations in neighboring communities and recommended modifying the Town’s Zoning Ordinance: require a permit to maintain or prune Category 1 trees (16”+ DBH only) based upon Town established pruning standards.

Committee briefly reviewed Staff’s report and agreed to discuss further at its next meeting.

**Retain Tree Pruning Guidelines on Committee’s next agenda**

**7. Tree City USA Designation: Review Criteria for Application**

Zoning Administrator Henderson: most SC cities are Tree City USA labeled demonstrating the municipality’s commitment to tree protection, best practices and community outreach.

Sullivan’s Island already meets the standards for Tree City USA designation (outlined below):

- a.) Establish/maintain a tree board or department (SI has Tree Commission)
- b.) Establish a tree care ordinance (Zoning Ordinance Tree Protection)
- c.) Community Forestry Program with annual budget of \$2/capita minimum (Town exceeds approximately \$4,000 annual minimum expenditure on trimming/pruning, parks and Town property maintenance, beach access maintenance and Arbor Day expenses)
- d.) Arbor Day Observance and Proclamation (Town celebrates Arbor Day annually)

There is no fee for application (due December 31<sup>st</sup>); Town would not require any changes to its policies, practices and ordinances to be designated Tree City USA.

**MOTION: Councilmember Clark recommends Council direct Staff to pursue Tree City USA Designation; seconded by Mayor O’Neil; MOTION UNANIMOUSLY PASSED**

### **8. Island Entrance Sign (Ben Sawyer Bridge): Review and Discuss**

Background: Town residents and the Park Foundation have volunteered funds to beautify the entrance of the Island from Ben Sawyer Bridge with landscaping and replacement of the current “welcome” sign. The community volunteer group/Park Foundation sign proposal:

- Similar dimension and footprint as existing sign, to be located in the same ROW location;
- Various renderings offered for Town consideration – sign to include tabby exterior with/without rope embellishments
- Potential tide chart and/or electronic message board incorporated on sign

Council has discussed the sign design and received public input. Council asked this Committee to consider current options and offer a recommendation on the Park Foundation’s donation of funds for the landscape/sign package.

*Kay Smith* (Park Foundation Board Officer) noted a professional designer provided the sign mock-ups; residents offering funds are not paying for the tide clock. Park Foundation is not interested in designing the final sign.

**Committee discussed the proposed sign components and their understanding of the current situation:**

**Electronic Reader Board:** Many residents have rejected this concept; Council has currently eliminated that option from the sign design;

**Tide Clock:** Council had mixed opinions on the clock.

Committee feedback: Councilmember Clark advocated for tide clock citing safety reasons; Chair Langley advocated eliminating the tide clock; Mayor O’Neil expressed ambivalence for the tide clock, noting the electronic sign would be more helpful in addressing safety notices than the tide clock.

**Chair solicited public comments:**

*Ellison Ingle* (1719 Atlantic) questioned size of tide clock [**Staff advised proposed tide clock is 40 ½” tall**]; Mr. Ingle requested elimination of tide clock and advocated retaining current sign.

*Hal Currey* (1758 Atlantic) echoed Mr. Ingle’s opinion to retain current sign, noting sign has welcomed generations home and does not need to be re-designed; supports landscaping area.

*Kay Smith* (Park Foundation) opined the current sign is outdated and “looks like Myrtle Beach.” Stated the sign needs to be replaced, especially as the Park Foundation will pay for new landscaping.

*Amanda Poletti* (1771 Atlantic Avenue, Park Foundation member) reiterated that Park Foundation does not care about the final sign design, just that the sign is replaced. She urged Council to take advantage of the funding that is being offered now for the landscape and sign package, saving the Town future costs.

*Wayne Guckenberger* (2105 Pettigrew), asked if the Town needed to install a different sign that might provide full communication to the public, if this is important to public safety (i.e. clock, tide, temperature, public safety alerts as needed, etc.), or, if the Town only needed a refurbishment of the existing sign design.

*Sarah Church* (1655 Atlantic) expressed desire for a simple entrance sign; encouraged Park Foundation to continue working with the Town this fall, after the Town Hall construction has completed, to find ways to continue directing their funding in support of existing Town park spaces, like Stith Park.

*Luke Lewis* (2010 Pettigrew) supports including an electronic message board to provide visitors life-saving information (i.e. rip tide alerts, no swimming advisories, etc.).

*Tim Reese* (305 Station 20) echoed Mr. Lewis in support of a sign designed to provide sufficient safety information, citing visitor/resident benefits and Town liability protection. Expressed support for the Park Foundation and its mission; asked why the Town has lapsed in trimming/pruning Stith Park?

*Hal Currey* (1758 Atlantic) noted the Town does a good job of informing visitors and residents of safety issues; lamented instances where he has seen families with children swimming/wading next to signs that clearly state “no swimming or wading.” People will choose to comply/not comply with Town rules regardless of the number of signs. He advocated again for retaining current sign design.

Committee asked Ms. Poletti (Park Foundation member), in the absence of Ms. Kay Smith (left the meeting at this point), whether the Park Foundation had feedback from its donors on the reallocation of donated funds, raised for the Park, to the front entrance beautification project.

Ms. Poletti advised that 80% of the Park Foundation funds are donated by 20% of its members. The Park Foundation has discussed the front entrance beautification with its big donors, who support the initiative.

She noted the Foundation has fully equipped the various Town Parks and financially supported all the court re-pavement projects. The Park Foundation does not provide for Park landscaping and maintenance. The Board does not wish to sit on donated funds as donors prefer to see the funds spent quickly. As such, the Board elected to donate toward the entrance beautification package, which includes landscaping and a new welcome sign.

Committee acknowledged there is a funding gap for the Parks; currently the Town maintains the landscaping (cutting/trimming) but does not budget for installation of landscaping. Councilmember Clark noted that the Town Hall Project will include installation of an irrigation headunit for Stith Park. Consideration for enhancing Stith Park landscaping should be addressed after the irrigation headunit is installed.

Ms. Poletti clarified that the Park Foundation has linked funding for landscaping and the sign as one beautification package. She cannot speak for the Foundation as to whether it would be prepared to separate its funding and noted the Board does not meet in the summer.

**MOTION: Councilmember Clark recommended that Council accept funding from the Sullivan’s Island Park Foundation for beautification of the Town’s entrance at the Ben Sawyer Bridge/Stith Causeway, said project to include landscaping and a new welcome sign, the final welcome sign design to be determined by Council, with this Committee expressing its preference for a simple sign design; seconded by Mayor O’Neil.**

**Discussion:** Committee discussed its preference for a simple sign design.

**Call for the question: MOTION UNANIMOUSLY PASSED**

**Next Meeting – date/time to be determined**

**Agenda items held over for next meeting include:**

- A. Comprehensive Plan (2018) Update**
- B. Tree Pruning Ordinance**
- C. Island Entrance Sign (Ben Sawyer Bridge): Design Options**

There being no further business, the meeting was adjourned at approximately 10:32a.m. (Councilmember Clark motioned; Mayor O’Neil seconded; unanimously passed)

Respectfully submitted,  
Rita Langley, Chair  
Land Use & Natural Resources Committee

**August 1, 2016 Council Workshop:**

**MOTION to approve minutes by Mayor O’Neil; seconded by Councilman Clark.**

**DISCUSSION: Amendments to page 7, paragraph 2 inserting “headunit” after “irrigation” to clarify discussion regarding installation of *irrigation headunit* for Stith Park.**

**MOTION to accept amendment to minutes by Mayor O’Neil; seconded by Chair Langley (unanimous)**

**MOTION to accept minutes as amended by Councilman Clark; seconded by Mayor O’Neil (unanimous)**

**EXHIBIT A**  
**July 21, 2016 Land Use & Natural Resources Committee**

**DRAFT TEXT AMENDMENT**  
**TOWN COUNCIL**  
**JULY 19, 2016**

**AMENDMENT 1:**

ARTICLE 21: SECTION 21-17: STORMWATER MANAGEMENT:

*Add new Subsection to Article 21; Section 21-17 “Stormwater Management” to require stormwater management plans for any lot fill, building addition or adding of impervious surface of six-hundred twenty-five (625) square feet in area or more.*

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**Sec. 21-17. Stormwater Management.**

No lot shall be built upon, graded or filled without the Building Official’s or Zoning Administrator’s prior approval of a stormwater management plan. The stormwater management plan and construction specifications must be stamped and signed by a professional engineer or landscape architect actively licensed in the state of South Carolina. All stormwater plans must include a scaled site plan and survey illustrating all existing and proposed topographical features of the lot, existing and proposed drainage flow patterns, with a site narrative describing the means and methods to preventing adverse impacts to adjacent and/or downstream properties. The following site changes shall require the submittal of a stormwater management plan:

- a. Any new building construction, new impervious surface, or replacement impervious surfaces, which cumulatively exceed six hundred and twenty-five (625) square feet in area; (All development shall be cumulative over time when considering the square footage threshold for requiring a stormwater management plan)
- b. Adding fill or re-contouring of twenty (20) percent or more of the existing lot area in accordance with Section 21-13.

Additional submittal materials, design specifications and maintenance schedules may be requested at the discretion of the Building Official and/or Zoning Administrator to ensure compliance with the Charleston County Stormwater Management Program.



**EXHIBIT B**  
**July 21, 2016 Land Use & Natural Resources Committee**

Example Text in red indicates modifications by study group on May 31, 2016.

**Section 21-44. Elevating Historic Buildings.**

**A. Purpose.**

To conserve the character of Sullivan's Island's designated historic properties and surrounding neighborhoods; an integrated design approach shall be taken when elevating Sullivan's Island Landmarks and Traditional Island Resources.

**B. Design Guidelines.**

Any proposed elevation or change to an existing historic structure shall carefully consider existing site conditions (site elevations and topography), parcel access, type structure, composition and scale, and location of adjoining historic properties.

- (1) Height: To minimize the height of elevating historic structures, the finished floor elevation (FFE) shall not exceed 75% of the existing height from average adjacent grade. ~~(example: 3' existing FFE would allow 2.25' elevation or 5.25' from average adjacent grade) (DRB increase 6.6' from grade)~~ the FEMA base flood elevation.
- (2) Composition and Scale: To maintain an historic building's visual character and design compatibility with the surrounding neighborhood, an elevation design plan shall be submitted illustrating the composition and scale of the building's principal architectural features are being maintained and remain proportional to the elevated foundation. ~~the elevated foundation shall not exceed 50% of the front or side porch height. (example: 9' porch height may not exceed an elevation of 4.5' FFE from average adjacent grade) (DRB increase 5.6' from grade).~~
- (3) Perspective and Orientation: Any proposed elevation or relocation ~~must~~ should maintain the building's historic perspective from the principal right-of-way. All historic architectural elements ~~visible from pedestrian perspective when standing in the right of way, pre-elevation,~~ should be maintained after elevation or relocation.

- (4) Scale Minimization and Architectural Screening: Appropriate measures should be introduced into the site design to reduce or eliminate negative visual effects from the elevation of a historic structure. These elements include fencing, landscaping (foundation plantings), stair configuration and any other considerations listed in the Louisiana and Mississippi *Elevation Design Guidelines for Historic Buildings*.

~~*Design Review Board may increase by no more than 25% the maximum permitted elevation increase if this or other modifications achieve greater neighborhood compatibility as described in ARTICLE XII.*~~