

**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Wednesday, June 8, 2016**

A regular meeting was held at 6:00PM, this date, at Town Hall, 2050-B Middle Street, all requirements of the Freedom of Information Act satisfied. Present: Commissioners Sydney Cook (Vice-Chair), Charlie Cole, Carl Hubbard and Manda Poletti. Staff members present: Zoning Administrator Henderson, Asst. to Administrator Darrow and Building Official Robinson.

**Call to Order.** Vice-Chair Cook called the meeting to order, stated press and public were duly notified pursuant to state law and quorum was present (Hal Currey, Carlson Huey and Chair Gary Visser had excused absences); five audience members (no media) present.

**I. Approval of Agenda – Commission approved agenda with no changes**

**II. Approval of Minutes**

**MOTION: Mr. Hubbard moved to approve the May 11, 2016 minutes; seconded by Mr. Cole; MOTION UNANIMOUSLY PASSED.**

**III. Public Hearing**

**1. Text Amendment, Section 21-13, Increase or Decrease in Natural Elevations**

**Prohibited: Zoning Ordinance text amendment requiring onsite stormwater management plans for properties island-wide**

**Staff Update (Zoning Administrator Henderson)**

Welcomed Chris Wannamaker, Charleston County Stormwater Management, and thanked him for his continued assistance as a Town resource on this topic.

**Background:**

- Council directed Commission to consider the merits of zoning ordinance text amendment that would clarify the regulations related to residential stormwater runoff (reaffirmed by Council at the February 16, 2016 Council meeting).
- Currently Staff can request but cannot mandate a property owner, seeking to put infill on the property, to retain and provide a certified engineering stormwater management design/plan.
- Discussions were held during the Planning Commission meetings on March 9, 2016, April 13, 2016 and May 11, 2016.

Concern: Currently property owners who incorporate development infill elevating the topography of the property are required to show how sheet runoff would be moved away from

the lot and into the current Town stormwater collection systems. There may be unintended consequences to neighboring properties located on the block who find stormwater runoff collecting on their lots. Text amendments to the Zoning Ordinance could require homeowners to provide Staff evidence of a plan to successfully manage stormwater on-site.

**Reference - Benchmarking/Research**

**COST ESTIMATES FOR SMALL LOT DRAINAGE PLANS:**

<b>Engineering Firm</b>	<b>Drainage Plan Cost</b>	<b>Construction Cost</b>
Wertimer & Associates	\$1,500 to \$3,000	Variable per site conditions
Furman RLA	\$1,500 to \$2,000	Variable per site conditions
Thomas & Hutton	\$2,500 to \$4,000	Variable per site conditions

**Staff Recommendations:**

- 1. Establish a separate section in the Town’s Zoning Ordinance to deal specifically with this topic, entitled *Section 21-17: Stormwater Management (Exhibit A)*;**
- 2. Modify language to provide for the cumulative effect of multiple small projects each totaling less than 625sf;**
- 3. Commission to discuss merits and pitfalls of incorporating specific storm design standards for an on-site stormwater management plan.**

**Commission Questions/Discussion**

Zoning Administrator Henderson and Mr. Wannamaker reviewed various storm design standards. Identified pros/cons for stipulated storm design standards:

- a. Metrics provide for more precise engineering analysis of the impact of stormwater on a property – it establishes a benchmark for Town review of proposed plans
- b. Could establish a higher bar for requiring stormwater retention on a residential site, taking recognized standards from SCDOT
- c. Town does not have an on-staff engineer to conduct engineering analysis - would need to outsource the review process to Charleston County Stormwater Management or retain an engineering consultant
- d. Cost to residents could be higher to design a stormwater management plan to specific engineering standards (\$1500-\$5000 for plan; approximately \$10,000 for infrastructure)

### **Commissioner Questions for Staff:**

Regarding Staff Recommendation #3 above – specific storm design standards for stormwater management plans:

1. Do other local municipalities, like Isle of Palms, or Charleston County incorporate specific storm design standards in their ordinances, per Staff research? No
2. Who pays for the engineering review that the Town would need to outsource? Charleston County has authority to review under an intergovernmental agreement, but the Town would likely pass the expense for an external engineering review to the property owner.
3. Review time line – Commissioners discussed the additional time needed for review/approval of residential projects to allow for external engineering review.

Commissioners asked if Staff recommended inclusion of the storm design standards (#3 Staff Recommendations). Zoning Administrator Henderson clarified this option is included in its report/recommendations based upon public feedback.

### **Public Questions for Staff:**

*Susan Middaugh (2420 Raven Drive)* Asked how this stormwater management plan would be handled for landscaping and improvements with pervious material (i.e. filling in a low spot in a yard with dirt). Noted Section 21-17 (b)(c) applies to impervious surfaces and new construction but does not clarify how pervious material would qualify, such as contouring a lot or bringing in fill for low spots on lots.

*Chauncey Clark (2119 Pettigrew)* Submitted a resident seeking to re-contour a lot without bringing in fill would not trigger this stormwater management plan; however, bringing fill to the landscape could pose a problem.

*Rita Langley (1618 Middle Street)* Commented on the storm design standard and the original language that did not include specific engineering standards. Did both approaches require engineering drawings at the resident's expense?

Zoning Administrator Henderson noted that under any circumstance the Town would review a stormwater management plan that incorporated an engineering or certified landscape architect's stamp. Mr. Wannamaker noted that a 10-year storm water design standard involves more calculations from engineers.

### **Commission Discussion:**

Commission discussed scenarios where questions could be raised regarding residents engaged in routine yard work and modifying existing or installing new elevated landscape beds.

Commission discussed establishing a percentage/ratio of lot that could be re-contoured before the stormwater management plan would be required. This would be a potential amendment to Section 21-17 (b) (**Exhibit A**)

Potential amendment to Section 21-17 (b) (**Exhibit A**)

Commission discussed a ratio of 10% or 20% of the lot allowed for re-contouring landscape.

**Public Hearing:**

Opened at 6:52pm

*Mark Howard (1820 Central Avenue)* Supports the goals of on-site stormwater management, specifically regarding improved control of stormwater flow on site and some efforts to improve discharge. Questioned whether the cost of remediation for residents would be prohibitive.

*Chauncey Clark (2119 Pettigrew)* Proposed ordinance language helps address unintended sheet flow from new construction to neighbors and the streets, noting the importance of traffic being able to safely ingress/egress and travel on streets.

Submitted the 10-year storm design standards would help address Mr. Howard's concerns about stormwater sheet flow and discharge onto neighbors and public rights-of-way.

*Susan Middaugh (2420 Raven Drive)* Requests ordinance language clarify how homeowners can conduct simple landscaping projects that do not include construction. She supports the language allowing for residents to re-contour 20% of the lot before the stormwater management plan is required.

Seeing and hearing no additional comments, the public hearing was closed at 7:00pm

**Commission Deliberation:**

**Landscaping/Re-contouring**

Commission discussed how the Town would measure for lot elevation (Staff requires existing and as-built plans during its submittal process).

Staff provided references for Section 21-17(b):

- 5% of a 5,000 sf lot = 250 sf of lot for landscape fill
- 5% of a ¼ acre lot = 500 sf of lot
- 5% of ½ acre lot = 1,000 sf of lot

Commission discussed what would be considered fair and reasonable for homeowners engaged in minor landscaping projects.

Commission discussed the definition of a “lot” – whether this is all of the lot or only the portion that is unimproved, and, what percentage would be manageable.

#### **Storm design standards**

Staff clarified that the 10-year peak discharge standard is used by SCDHEC and SCDOT

Commission briefly reviewed the difference between “peak” and “volume” rates and how “adverse impact” of sheet flow would be measured on a lot.

**MOTION: Ms. Poletti made a motion to recommend to Council approval of Zoning Ordinance text amendments that require on-site stormwater management plans as outlined in Exhibit A: establish a new ordinance section entitled *Section 21-17 Stormwater Management*; and modify Exhibit A Section 21-17(b) to allow for a resident to re-contour up to 20% of a lot before Section 21-17 becomes applicable; seconded by Mr. Cole. MOTION UNANIMOUSLY PASSED.**

#### **IV. Items for Consideration**

- 1. Staff Update on Town Projects – oral report**
- 2. Correspondence/Comments – None**

There being no further business, the meeting adjourned at approximately 7:20pm (Mr. Hubbard motioned; Ms. Poletti seconded; unanimously passed).

Respectfully submitted,  
Lisa Darrow  
Asst. to Administrator

Approved at the Wednesday, August 10, 2016 Planning Commission Meeting  
(no meeting in July 2016)

**JUNE 8, 2016 PLANNING COMMISSION**  
**EXHIBIT A**  
**DRAFT TEXT AMENDMENT**  
**Stormwater Management Plans Required**

**AMENDMENT 1:**

ARTICLE 21: SECTION 21-13 (3): INCREASE OR DECREASE IN ELEVATIONS PROHIBITED:

*Amend Section 21-13 (3) "Increase or decrease in elevations prohibited" by requiring 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. 21-13. Increase or decrease in natural elevation prohibited.**

- (1) Any importation of materials of any type or re-contouring of a lot's existing contours that increased a lot's existing ground elevation more than one (1) foot above existing grade and results or may result in elevating an existing or proposed structure is strictly prohibited.
- (2) Any decrease in a lot's existing ground elevation is strictly prohibited.
- (3) No lot shall be built upon, graded or filled to an elevation that results in a change to the existing stormwater runoff for such lot 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 (heated or non-heated) to a site in excess of six hundred and twenty-five (625) square feet in area;
  - b. Any addition of impervious surface (pool, driveway, hardscape, etc.) to a site in excess of six hundred and twenty-five (625) square feet in area;
  - c. Any re-contouring of a lot's existing ground elevation up to one (1) foot above existing grade [per Section 21-13 (1)].

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.

**Comment [JH1]:** Planning Commission February 10, 2016-Language added

**Comment [JH2]:** Planning Commission April 13, 2016-Language added

**Comment [JH3]:** Planning Commission April 13, 2016-Language added

**Comment [JH4]:** Planning Commission April 13, 2016-Language added

**Comment [JH5]:** Planning Commission May 11, 2016-Recommended change