

**TOWN OF SULLIVAN'S ISLAND, SOUTH CAROLINA
PLANNING COMMISSION
REGULAR MEETING MINUTES
Wednesday, March 8, 2017**

A regular meeting was held at 6:00PM, this date, at Town Hall, 2056 Middle Street, all requirements of the Freedom of Information Act satisfied. Present: Commissioners Gary Visser (Chair), Sydney Cook (Vice-Chair), Charlie Cole, Hal Currey and Tim Watterson. Staff members: Zoning Administrator Henderson, Building Official Robinson, Asst. to Administrator Darrow and Administrator Benke.

Call to Order. Chair Visser called the meeting to order, stated press and public were duly notified pursuant to state law and a quorum was present (Carl Hubbard and Manda Poletti had excused absences); four (4) audience members (no media) present.

I. Approval of Agenda – approved amended to hold election of officers next

II. Election of Officers

MOTION: Mr. Currey moved to elect Gary Visser as Chair and Sydney Cook as Vice-Chair (no nominations received on the floor); seconded by Mr. Watterson. MOTION UNANIMOUSLY PASSED.

Staff noted no public correspondence has been received for this meeting.

III. Approval of Minutes

MOTION: Mr. Currey moved to approve the February 8, 2017 minutes; seconded by Mr. Watterson. MOTION UNANIMOUSLY PASSED.

IV. Public Hearing

Chair Visser reviewed the process for public hearings: public is offered the opportunity, after the Staff Report, to ask questions related to that report. Thereafter the public is encouraged to offer general comments during the public comment portion of the public hearing.

He noted that the Commission makes a recommendation to Council after this public hearing. Council has the latitude to either take up, dismiss and/or change any recommendations made by this Commission through its legislative ordinance process.

1. Historic Design Review Procedure: Text amendment to modify Zoning Ordinance §21-97C. (5) (Criteria for Certificate of Appropriateness) by requiring compliance with the *Secretary of Interior's Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.

Staff Report:

Zoning Administrator Henderson:

- Provided an overview for the remaining business items on the Council’s agenda: Text Amendment items 1 and 2 and Items for Consideration item 1, all being strategies for addressing the review and development of properties with historic structures upon them.
- Noted the Design Review Board studied this matter in response to Town’s Council’s request for consideration of the following:
 - Evaluate options for elevation of historic structures below the FEMA base-flood elevation (BFE) guidelines;
 - Consider strategies to enhance historic design review, to include possibly a stand-alone historic design guidelines
- The Design Review Board provided feedback and recommendations to the Land Use & Natural Resources Committee of Council and this Planning Commission, as discussed in last month’s meeting. Discussion tonight is a continuation of this review process.

1. Historic Design Review Procedure: Text amendment to modify Zoning Ordinance §21-97 C. (5) (Criteria for Certificate of Appropriateness) by requiring compliance with the *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*

Staff Report: Zoning Administrator Henderson

Consideration for modifying Section 21-97 C. (5) (Certificate of Appropriateness) to clarify the requirement for using *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.

Chronology of Issue:

Design Review Board:

Review from 2015-June 2016

Decision: DRB approved several recommendations for Town Council in lieu of creating design guidelines

Land Use & Natural Resources Committee of Council

June 2016

Decision: DRB recommendations presented to LUNR. Sent to Planning Commission for study and recommendation back to Town Council

Planning Commission

September 2016

Decision: PC recommended to Council “no” to design guidelines and to move forward with text amendments – allow PC to hold a public hearing.

Land Use & Natural Resources Committee of Council

January 2017

Decision: LUNR sent back to Planning Commission for public hearing for text amendments to 21-97 C. (5) (Certificate of Appropriateness). LUNR recommended Planning Commission hold a public hearing for the aforementioned text change.

Zoning Administrator Henderson reviewed the four levels of treatment for an historic structure: Preservation, Rehabilitation, Restoration and Reconstruction, listed in hierarchical order. He noted that this text amendment change would direct homeowners and the Design Review Board to specify the applicable treatment (s) instead of mentioning rehabilitation only.

Staff recommends the text amendment, noting it will provide property owners with clarification of the DRB historic review process and offer instructive strategies for addressing various treatments to an historic property. Zoning Administrator Henderson noted that one homeowner's project informs the type of preservation strategy required, which can include multiple strategies, i.e. preservation and rehabilitation, or restoration with needed reconstruction for example. In this sense, the current ordinance language is insufficient because it only refers to rehabilitation as the only allowed strategy for historic preservation.

Staff provided potential text amendments for Commission's consideration – Exhibit A.

Public Hearing opened at 6:20PM and closed at 6:30PM – public comments made during this portion follows:

Public Questions/Comments

Tim Reese, 305 Station 20, Sullivan's Island, SC

Asked to clarify what standards within the existing pamphlets would be added to the Town's DRB review requirement.

Zoning Administrator Henderson noted that currently the Zoning Ordinance references rehabilitation standards from the Secretary of Interior guidelines. This amendment would allow for the full range of historic preservation options to be included for review by the DRB.

Peggy Hughes, 852 Middle Street, Sullivan's Island, SC

Asked for clarification to the Secretary of Interior Design Guidelines, asking if there was a specific edition and whether standards have changed over time.

Zoning Administrator Henderson clarified that the Secretary of Interior Guidelines is the industry standards for historic preservation. While the standards could change over time, this happens infrequently. Staff would incorporate in its administrative processing of requests a method for applicants to reference the specific areas of the Secretary of Interior Standards to ensure the applicant is working with the correct material.

Commission Comments:

Commission recommended incorporating the date of the Secretary of Interior pamphlet to clarify upon what document homeowners, their agents and the Design Review Board should rely.

MOTION: Vice-Chair Cook made a motion to recommend to Council to modify Zoning Ordinance §21-97 C. (5) (Criteria for Certificate of Appropriateness) by requiring compliance with the most current edition of the document entitled *Secretary of Interior’s Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*; seconded by Chair Visser. MOTION UNANIMOUSLY PASSED.

V. ITEMS FOR CONSIDERATION

- 1. Standards for Elevating Historic Structures: Text amendment to add Zoning Ordinance §21-44 A-B (Elevating Historic Buildings) standards for elevating of historic structures in the Single-Family Residential (RS) District; and, Zoning Ordinance §21-59 B, Standards for Elevating Buildings in the Community Commercial (CC) District**

Staff Report: Zoning Administrator Henderson gave an outline of the chronology of the issue:

Chronology of Issue:

Design Review Board 2015-June 2016

Decision: DRB approves several recommendations for Town Council in lieu of creating design guidelines. Recommended to create language to regulate elevating historic buildings.

Land Use & Natural Resources Committee of Council July 2016

Decision: DRB recommendations presented to LUNR. Sent to Planning Commission for study

Planning Commission September 2016

Decision: PC recommends to Council “no” to design guidelines and to move forward with text amendment to regulate elevation projects.

Land Use & Natural Resources Committee of Council January 2017

Decision: LUNR sends back to Planning Commission for further study and potential public hearing.

Background:

As Sullivan’s Island is located in the floodplain, DRB receives regular requests to elevate historic structures to comply with FEMA regulations (FEMA incentivizes activity through flood insurance premiums).

Preservation considerations from elevating designated historic structures:

- Removes the historic perspective of the home, altering the streetscape and may possibly adversely affect the overall standing of the historic district;
- Alters the historic massing, materials and architectural features of the home;

- Alters landscape and other site features (vistas and view of surrounding properties);
- Alters traditional access points (addition of porches and stairs).

DRB has recommended an integrated design approach to be taken when considering elevation of designated historic structures (Sullivan’s Island Landmarks and Traditional Island Resources). These guidelines were derived from the *Mississippi* and *Louisiana Elevation Design Guidelines*.

Staff provided potential text amendments for Commission’s consideration – Exhibit B.

Discussion Point: Allow elevation of historic properties to FEMA base-flood elevation (BFE) or elevation to “no more than 1 foot above BFE” as provided for with non-historic properties.

Staff clarified that this ordinance would affect all relevant residential and commercial structures within the RS and CC Districts.

Commission Discussion:

Staff clarified that the Town has AE and VE flood elevation designations. All structures have to be held to the same (VE) standards. Exempting historic structures (approximately 200-250 currently on Island) from the VE standards could have an adverse impact on the FEMA CRS rating, negatively impacting the flood insurance premiums for all residents on the Island.

Commission discussed whether the Town could wait until the FEMA preliminary maps are finalized (projected for August/December 2018) and Town adopts FEMA maps to revisit allowing historic properties to elevate beyond the existing BFE level.

MOTION: Mr. Watterson recommended the Commission hold a public hearing at the April 12, 2017 Planning Commission to present and discuss proposed Zoning Ordinance text amendments to §21-44 A-B (Elevating Historic Buildings) standards for elevating of historic structures in the Single-Family Residential (RS) District; and, Zoning Ordinance §21-59 B, Standards for Elevating Buildings in the Community Commercial (CC) District, as outlined in Exhibit B; seconded by Vice-Chair Cook. MOTION UNANIMOUSLY PASSED.

2. RS-District Special Exception: Consideration of text amendments to modify Zoning Ordinance Section 21-20 C. (2) (Historic Structure used as accessory dwelling unit) a Special Exception in the Single Family Residential (RS) District

Staff Report: Zoning Administrator Henderson outlined a chronology of the issue:

Chronology of Issue:

Design Review Board

2015-June 2016

Decision: DRB approved several recommendations for Town Council in lieu of creating design guidelines. One suggestion was to modify incentives to property owners via Section 21-20 C (2).

Land Use & Natural Resources Committee of Council

July 2016

Decision: DRB recommendations presented to LUNR. This suggestion was not sent to the Planning Commission for study.

Planning Commission

September 2016

Decision: PC recommended to Council “no” to design guidelines. DRB members attended the PC meeting and made an additional recommendation to modify incentives via Section 21-20 C. (2).

Land Use & Natural Resources Committee of Council

January 2017

DRB presented to LUNR additional suggestion to modify Section 21-20 ADU incentive. LUNR sent it back to Planning Commission for further study and evaluation of any unintended consequences of the policy.

Staff provided potential text amendments for Commission’s consideration – Exhibit C.

Modify the conditions for granting an Accessory Dwelling Unit (ADU) Special Exception:

- Remove the 1200 sf requirement (maximum size of the historic primary residence)
- DRB may grant discretionary increases in (heated) building square footage and coverage for the new construction
- The historic structure may be rebuilt if destroyed

Staff referenced summary data on existing historic structures affected by removal of the 1200 sf limit (presented at the February 2017 Planning Commission meeting):

Historic Building Stock Data

- 11,463 parcels/lots
- 992 total residential structures

Total Historic Residential Structures:

- Landmark #1 Class – 141
- Island Resources #2 Class – 95
- Total: 236 or 24% of all structures are designated historic

FEMA Noncompliant + Historic

- Landmark #1 Class – 71
- Island Resources #2 Class – 41
- Total: 112 or 11% of all structure FEMA noncompliant + historic

Commission Discussion:

Issue Summary: Design Review Board recommends removing 1200 sf square footage restriction, or increasing the maximum square footage, that would allow for:

- a.) Two structures on one lot
 - b.) Smaller cottage (historic property) could be rented
 - c.) Larger structure could be the primary or secondary home for owner (could not be rented)
- 1. Commissioners questioned potential impact on Town population and density.**

Zoning Administrator Henderson provided the following information at Commission's request:

Assumptions:

- Single family half-acre lot = maximum 4,000 sf construction
 - 2,000 sf historic property + 2,000 sf new structure
 - 2.34 residents per household (2013 American Survey) for 185 houses = 456+ new people (approximately a 20% population increase)
2. Commissioners questioned impact on Town's water/sewer system

Staff noted the Town is currently designing a new wastewater facility to replace the aging system based upon 1094 developed parcels. Modification to the Zoning Ordinance for accessory dwelling units (ADU) could increase the demand to an additional 195 units.

Assumption: 300 gallons of water used/household @ 195 units = over 60,000 gallons to process

3. History of ADU special exceptions under current ordinance language

Staff advised that between 2005-2017 approximately 15 ADU special exceptions have been issued.

Commissioners expressed the following concerns:

- Change would materially impact the water/sewer infrastructure currently in place and the new wastewater treatment system currently under design;
- Change would increase density on the Island
- Creates an artificial category of owners who get to build a second home on their property
- Conflicts with the Comprehensive Plan goals of one dwelling/lot for single-family residential properties.

- List of eligible historic properties does not stay static and can increase over time as properties are deemed historically contributing.

Commissioners commented that an historic property of 2,200 – 2,400sf does not have the same burden as an historic property at 1,200 sf. Smaller historic property is deserving of credit.

Public Comments:

Alan Bischoff, 2432 Middle Street, Sullivan’s Island, SC

Noted his family purchased a historic home that is 1,600 sf and indicated his family would appreciate the option to build a second home on the lot in lieu of potentially requesting an addition to the property in the future.

Commissioners noted additional data would be needed in order before considering text amendments on this matter. Other Commissioners suggested the Commission decide whether this topic was the best use of the Commission’s and Staff’s time at present.

MOTION: Vice-Chair Cook moved that Commission discontinue further study on RS-District Special Exception: Consideration of text amendments to modify Zoning Ordinance Section 21-20 C. (2) (Historic Structure used as accessory dwelling unit) a Special Exception in the Single Family Residential (RS) District; seconded by Mr. Cole. MOTION UNANIMOUSLY PASSED.

VI. Staff Update on Town Projects – oral report given

There being no further business, the meeting adjourned at approximately 7:15PM (Mr. Currey motioned; Mr. Cole seconded; unanimously passed).

Respectfully submitted,
Lisa Darrow
Asst. to Administrator

Approved at the May 10, 2017 Planning Commission Meeting
(No meeting April 10, 2017)

Proposed Text: 21-97 C. (5)

- (5) For an historic property, consistency with the following ten preservation standards and the Secretary of the Interior's pamphlet entitled, Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings *Secretary of Interior's Standards for the Treatment of Historic Properties: Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings:*
- (a) Using a property as it was used historically or giving a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships;
 - (b) Retaining and preserving the historic character of a property; avoidance of the removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property;
 - (c) Avoiding changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings;
 - (d) Retaining and preserving changes to a property that have acquired historic significance in their own right;
 - (e) Preserving distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property;
 - (f) Repairing rather than replacing deteriorated historic features; or where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials;
 - (g) Utilizing the gentlest means of chemical or physical treatments;
 - (h) Protecting and preserving the archeological resources in place, and if disturbing, mitigation measures will be undertaken;
 - (i) Not destroying historic materials, features, and spatial relationships that characterize the property; differentiating the new work from the old and making it compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment; and,
 - (j) Undertaking new construction in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Sec 21-44. Elevating Historic Buildings.

A. Purpose.

To preserve the character of 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 Standards.

Any proposed elevation or site relocation of an historic structure shall carefully consider site conditions (site elevations and topography), parcel access, typology of architecture, building composition and scale, and its context with adjoining historic properties when employing the following standards:

- (1) Height: To minimize the height of elevating historic structures, the finished floor elevation (FFE) shall exceed no more than one (1) foot above the required FEMA base flood elevation. Or...

Height: To minimize the height of elevating historic structures, the finished floor elevation (FFE) shall be no higher than the required 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 to illustrate the composition and scale of the building's principal architectural features are being maintained and will remain proportional to the elevated foundation.
- (3) Perspective and Orientation: Any proposed elevation or relocation should maintain the building's historic perspective from the principal right-of-way. All historic architectural elements 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 site considerations noted by the Design Review Board.

Design Review Board shall make case-by-case determinations of the above design criteria to achieve greater neighborhood compatibility and to achieve the goals and standards of the Historic Preservation Overlay District (Article XI).

Sec 21-59 Foundation height. (Commercial District Regulations)

a. Purpose.

Due to FEMA regulations and Hurricane Hugo, the foundations of Principal Buildings are substantially elevated; although not presently the case within the CC-District, this provision is intended to prevent Principal Buildings from being elevated higher than FEMA requirements.

b. Design standards for Elevated Buildings.

- (1) The bottom elevation of a Principal Building's 1st floor joists shall be no more than two (2) feet above the FEMA base flood elevation
- (2) The Principal Building's finished floor shall not be more than three (3) feet above the FEMA base flood elevation.
- (3) Exception: For Principal Buildings constructed no more than three feet (3') above grade, the rear one half (½) of the Principal Building may be elevated to permit parking underneath the Principal Building.
- (4) Elevating designated historic buildings within the CC-District shall be required to comply with the standards established in Section 21-44.

c. Design Review Board.

The Design Review Board may grant a modification in this Design Standard of no more than one foot if this or other modifications achieves greater Neighborhood Compatibility as described in article XII.