

TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
PLANNING & DEVELOPMENT COMMITTEE
APRIL 1, 2019
MINUTES

Municipal Complex, Committee Meeting Room

Present: Joe Bustos, Chair, Bob Brimmer, Guang Ming Whitley, Tom O'Rourke.
Staff: Eric DeMoura, Jeff Ulma, Marcy Cotov, Michele Canon, Kevin Mitchell,
Kent Prause

Mr. Bustos called the meeting to order at 1:36 pm. Mr. Bustos stated that due to time constraints, a special meeting would be necessary to complete discussion of the items on the agenda.

1. Approval of Minutes from the [March 4, 2019](#) meeting

Mr. Brimmer moved for approval of the minutes. Ms. Whitley seconded the motion. All in favor.

2. Public Comments

Ms. Pamela Bryant, 1105 N. Shadow drive, stated that she is an AirBnb host and stated that short-term rentals are used to supplement their income. She stated that they pay accommodations taxes. She suggested that regulations for rentals should be the same regardless of whether it is considered a long-term rental or short-term rental.

Ms. Laurie Bixler, 144 3th Avenue, suggested that hospitality taxes are not collected for AirBnb rentals. She suggested that this should be collected. She asked that the complaint portion should be clarified.

Mr. George Bixler, 144 3rd Avenue, thanked the Committee for their work on this issue. He expressed concern with limiting the number of short-term rentals to 1% for the entire town. He suggested that the 1% threshold should be for an area or neighborhood.

Ms. Michele Whitbeck, 712 Hibbens Grant Blvd, thanked the Committee for their work and the change to allow townhomes to be used for short-term rentals. She suggested that the fee for having a short-term rental should be revisited as it seems

a little exorbitant, particularly since the inspections have been significantly reduced or eliminated.

Ms. Tina Lybrand, 2154 Country Manor Drive, stated that there is a house in her neighborhood that is used for short-term rentals that has potential building violations. She asked for the Town to help with enforcement of regulations.

Ms. Mary Ricossi, 615 Bay Tree Court, stated that she is pleased with the progress on this issue. She said that she supported a prior suggestion that short-term rentals should only be allowed for local residents as this could prevent management companies from having multiple homes in areas as short-term rentals.

Mr. Kenny Craft, 204 Spooner Lane, expressed concern with the parking requirements and suggested that requiring an additional parking space for each bedroom might be too extreme and should be reconsidered. He agreed that the fee is exorbitant. He asked if current short-term rentals would be “grandfathered in”.

Ms. Melissa Black, 920 Center Street, thanked the Committee for their work and effort on this issue. She agreed that the 1% should be revisited and possibly considered per area or neighborhood. She suggested that a short-term rental tax could be considered and might be appropriate as well.

Ms. Jackie Line, 908 N. Shem Drive, stated that she would like the ability to have multiple residences that are short-term rentals.

Mr. Trey Tessa, 164 Heritage Circle, stated that housing trends change and should be considered when implementing these regulations so that there is flexibility for the future.

Ms. Susie Smith, 1317 Erckman Drive, stated that she would like to retain the right to continue short-term rental of her property. She stated that she is opposed to additional taxes. She stated that requiring a business license is an appropriate remedy for revenue. She suggested that the property rights of the owner should be maintained. She stated that as a realtor she is seeing an increase in the desire for property that allows secondary rental as additional income.

Ms. Alicia Lockwood, 316 Lapwing Lane, stated that being able to maintain her home while having short-term rentals has given her the ability to supplement her income. She suggested that regulations should not be put in place before they are needed. She suggested that additional restrictions could be established in the future if deemed necessary.

Mr. John Clark, 521 Pelzer Drive, stated that he just closed on the home his parents previously owned. He expressed concern with the percentage cap and asked if it is known how close the number of short-term rentals is to the suggested 1% cap. He also expressed concern with what would be done once the cap was reached. He asked if there is flexibility in some of the regulations regarding proximity of management. He asked about regulations regarding noise, golf carts, etc.

Mr. Patrick Arnold, Trident Homebuilders Association, suggested that this is a good effort. He suggested that there should not be a restriction on townhomes or multi-family uses.

Mr. Greg Hefron, 1252 Deersling Court, suggested that short-term rentals are a means of supplementing income. He asked if a cost analysis regarding the cost versus the fees and taxes that are proposed to be charged has been completed as well as the cost for implementing the program completed. He asked if additional staff would be needed to implement the program.

Mr. Alex Graham, 1321 Bellevue Drive, stated that having a short-term rental provides supplemental income. He suggested that short-term rentals for home ownership should be allowed.

Ms. Pat Sullivan, 1002 Plantation Court, stated that she is opposed to annexation and zoning of item 6B, LaCannon Lane. She suggested that a similar request was not approved for an adjacent property. She suggested that the request for annexation and zoning should be denied.

3. Employee years of service recognition

Mr. Ulma stated that this would be deferred to next month.

4. Budget Review FY 2020

a. Planning Department operating expenditures

b. Planning Department capital and maintenance expenditures

Mr. DeMoura reviewed the Planning Department budget with Committee.

Mr. O'Rourke moved to recommend to the Budget Committee approval of the Planning Department budget. Ms. Whitley seconded the motion. All in favor.

5. Annexations

- a. **[A-7-19: 1197 Porchers Bluff Road](#)**. Request to annex an approximately 2.00 acre tract of land located at 1197 Porchers Bluff Road, identified by TMS No. 578-00-00-228 and depicted on a plat recorded by Charleston County ROD Office in Plat Book A0, Page 91.

Mr. Ulma reviewed the request with the Committee.

Mr. Brimmer moved to recommend to Town Council approval of the annexation request. Ms. Whitley seconded the motion. All in favor.

6. Review of Planning Commission recommendations from the [March 20, 2019 meeting](#) and any associated annexations

- a. **[R-05-19, Request to amend the Bridgeside II PD](#)**, Planned Development District Ordinance (Ordinance No. 12034, as amended), to do the following: (i) allow for the conversion of amounts of office and commercial square footage, residential units, and hotel rooms, and increase the maximum allowable amount of residential units from 73 to 150; (ii) to combine the Waterfront District and the Boulevard District into a single district for all purposes under the Planned Development Guidelines and Ordinance 12034, as amended; and (iii) to specify the timing and requirements for roadway improvements and bus pull-outs along Harry M. Hallman Jr. Boulevard as contemplated under Ordinance No. 12034 in connection with the development of the Waterfront District and Boulevard District, located at Bridgeside II / Harry M. Hallman Jr. Boulevard. Parcel ID: Parcels 1 through 9, Common Area, Bridge Creek Alley, Grafton Street, Rice Quarters Lane, Planters Wharf, and Port City Landing, TMS No.'s 517-00-00-245, -247, -248, -249, -250, -251, -252, -253, -254, -126 and -018; 517-00-00-038.

Mr. Bustos stated that this item would be tabled to a special meeting.

- b. [A-5-19: 1724 Lacannon Lane and 1729 Halls Pond Road](#). Request to annex an approximately 0.84 acre tract of land comprised of two parcels located at 1724 Lacannon Lane and 1729 Halls Pond Road, identified by TMS No. 558-00-00-194 and 558-00-00-915 and depicted as Lots B2B and B1B on a plat recorded by Charleston County ROD Office in Plat Book S19, Page 0029.
- c. [R-07-19, Request to zone AB-2](#), Areawide Business-2 District, an approximately 1.28 acre tract of land comprised of two parcels; a request to rezone from CC, Community Conservation, to AB-2, Areawide Business District, an approximately 0.56 acre tract of land; and a request to amend the Comprehensive Plan Future Land Use Map for all three (3) parcels by changing the land use designation from Community Conservation land uses to Commercial land uses, located at 1729 Halls Pond Road; 1740 & 1724 LaCannon Lane. TMS Nos. 558-00-00-915; 558-00-00-196; 558-00-00-194.

Mr. Ulma stated that the applicant has withdrawn the zoning request and would be requesting a different zoning next month.

The Committee agreed to defer the annexation and the comprehensive plan amendment to a future meeting to be heard in conjunction with the zoning request.

- d. [A-6-19: 2237 Highway 17 North](#). Request to annex an approximately 0.63 acre tract of land located at 2237 Highway 17 North, identified by TMS No. 558-00-00-927 and depicted as Lot 1 on a plat recorded by Charleston County ROD Office in Plat Book L12, Page 0220.
- e. [R-06-19, Request to zone AB-2](#), Areawide Business-2 District, one parcel in its entirety, located at 2237 North Highway 17. TMS No. 558-00-00-927.

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval of the zoning.

Mr. Brimmer moved to recommend to Town Council approval of the annexation. Ms. Whitley seconded the motion. All in favor.

Mr. Brimmer moved to recommend to Town Council approval of the zoning request. Mr. O'Rourke seconded the motion. All in favor.

- f. **[Proposal to amend Chapter 156 of the Mount Pleasant Code of Ordinances](#)**, to help administer the tree ordinance regulation more effectively and make the internal process more efficient by improving the review process for single family residential construction. Proposed amendments include the following: repeal the current tree replacement requirements 156.224(C)(1) & (2) establishing different standards for lots according to the date the lot was created, and where the tree is located relative to the building setback; make changes allowing the applicant to mitigate for removals concurrently while complying with the new Single Family Stormwater Management and Tree Preservation Program; and better define mitigation requirements to be more consistent with the type of trees removed. The objective of these amendments is to improve how the Town responds and guides applicants through the process. This will solve internal complications, create a stronger tree protection ordinance, and result in a better outcome for saving and preserving trees throughout the Town boundaries.

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval.

Mr. Bustos asked who would make the decision on mitigation. Mr. Ulma answered that the homeowner would have the option to plant trees or pay into tree bank. He stated that the amount of mitigation required would be determined by staff.

Mr. Brimmer expressed concern with having the option to pay into the tree bank. He suggested that paying into the tree bank should be a last resort rather than a first option. Mr. Mitchell stated that the mitigation requirements would not change. He stated that if paying into the tree bank, it would require 1 ½ times the market cost of the mitigation tree. He suggested that it would be a better option for the homeowner to plant trees as opposed to paying into tree bank. Mr. Ulma clarified that this would pertain to the individual homeowner or builder, not developers. Mr. Mitchell agreed and stated that this mitigation process would be after the subdivision has been laid out.

[Ms. Whitley left at this time (2:20 pm).]

Mr. Brimmer stated that he is not comfortable with allowing automatic tree bank payments.

Mr. O'Rourke suggested that if paid into the tree bank fund, it could help to accomplish the goals of the Town to have more tree canopy as there would be more funding for those types of projects.

Mr. Bustos suggested that it should not be too easy to remove trees and not require planting of replacement trees. He asked if part of the recommendation could be forwarded with the third recommendation coming back to the Committee for further discussion next month. Mr. DeMoura answered that this could be accomplished.

Mr. O'Rourke moved to recommend to Town Council approval of recommended text amendments 1 and 2 with deferral of recommendation 3 back to the Committee next month for further discussion. Mr. Brimmer seconded the motion. All in favor.

- g. **[Proposal to amend Paragraph \(C\), Table of Bufferyard Requirements, of section 156.201, Bufferyards, of Chapter 156, Zoning Code, of the Mount Pleasant Code of Ordinances pertaining to bufferyard requirements located between: a\) the Duplex/Townhouse land use category and existing adjacent land uses, and between b\) the Multi-family or Group Dwelling land use category and existing adjacent land uses.](#)**

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval.

Mr. Brimmer moved to recommend to Town Council approval of the request. Mr. O'Rourke seconded the motion. All in favor.

- h. **[Proposal to amend sub-paragraph \(b\)\(1\) of section 156.225, Provisions for Tree Removal, of Chapter 156, Zoning Code, of the Mount Pleasant Code of Ordinances establishing a reference to the design standards of section 155.048 of Chapter 155, Land Development Regulations, pertaining to the installation of replacement trees in the public right-of-way. Includes](#)**

proposal to amend the Town of Mount Pleasant Code of Ordinances, Chapter 155, Land Development Regulations. Proposed is to amend Paragraph (F), Design Standards, of section 155.048, Streets, of Chapter 155, Land Development Regulations, of the Mount Pleasant Code of Ordinances by adding a new sub-paragraph (21) thereto, establishing design standards for the location and installation of street trees.

Mr. Ulma reviewed the request with the Committee. He stated that the Planning Commission recommended approval.

Mr. Bustos asked if this would affect the planting of trees on Coleman Blvd. Mr. DeMoura answered that palmetto trees have a smaller root system that would not affect the roadway. He stated that this amendment would pertain to larger trees with more intricate root systems that are desired to be planted in neighborhoods along the right-of-way.

Mr. Brimmer asked if the Public Services Department is comfortable with the amendment. Mr. Ulma answered that this was preliminarily reviewed with the Public Services Director. He stated that he would confirm this prior to the Town Council meeting.

Mr. O'Rourke moved to recommend to Town Council approval. Mr. Brimmer seconded the motion. All in favor.

Mr. Bustos stated that due to time constraints, the remainder of the agenda would be deferred to a special meeting.

Mr. O'Rourke suggested that due to the number of members of the public present for short-term rentals that this should be discussed before adjourning the meeting. Mr. Bustos agreed to review short-term rentals.

7. [Consideration of easements on Mathis Ferry Road](#) for the purpose of underground power lines

This item was deferred to a special meeting.

8. Discussion of [2nd draft of Short Term Rental regulations](#)

Ms. Canon reviewed the request with the Committee and the changes from last month's meeting.

Mr. Bustos stated that the program should be self-sustaining and that the Finance office did review what would be required in terms of regulation and enforcement of this program and the fee was based on this exercise.

Mr. O'Rourke suggested that the regulations should be implemented and then if additional changes are needed, they can be done at a later date.

Mr. Brimmer asked about only allowing short-term rentals for owner-occupied property and if it could be based on the county tax assessment percentage. Ms. Canon answered that if rented more than 72 days, the county would assess the property at 6% rather than the 4% assessment. Mr. Brimmer suggested that only owner-occupied homes should be allowed to have short-term rentals. Mr. Brimmer suggested that the 1% cap should be eliminated as this could cause a concentration in areas not prohibited through covenants and restrictions.

Mr. O'Rourke suggested that the intent of having a 1% cap is a good start and should be implemented.

Mr. Bustos suggested that eliminating the 1% cap could mean a higher concentration of short-term rentals.

Mr. O'Rourke suggested that the cap remain and be evaluated on effectiveness in the future.

Mr. Bustos suggested that only primary residences should be allowed as an STR. Mr. Brimmer suggested that the 1% cap should be eliminated.

Mr. Brimmer asked about hosting events and limiting the number allowed. Ms. Canon answered that this was to try to prevent events or parties being held. She suggested that the number of overnight guests was to discourage parties. Mr. Brimmer suggested that the intent should be clarified as it appears that hosting a party would be prohibited, but not necessarily the intent. Mr. Brimmer asked if multi-family would be prohibited from having short-term rentals and how this

would be regulated. Ms. Canon answered that multi-family zoning for multi-family units would prohibit short-term rental.

Mr. Prause stated that the intent is that apartments would not be allowed as short-term rentals. He suggested that the portion of the ordinance is an error that inadvertently remained with the various revisions and would be corrected and removed.

Mr. Brimmer asked about notification of violations and if multiple violations would be considered one violation for length of the rental. He suggested that it should be actual violations and cumulative, with protection built in for harassment.

Mr. Brimmer moved for approval of the draft ordinance with the corrections and comments from the Committee and that it be forwarded to the Planning Commission for a public hearing. Mr. O'Rourke seconded the motion. All in favor.

Mr. Brimmer thanked staff for their hard work on this issue over the past months.

Mr. Bustos stated that the remainder of the agenda items would be deferred to a special meeting.

9. Discussion of [zoning regulations for telecommunications towers in PI-2 zoning district](#)
10. [Comprehensive Plan and Council review schedule](#)
11. Continued discussion of hotels and zoning regulations
12. Continued discussion of self-storage facilities and zoning regulations
13. Continued discussion of building heights in the Johnnie Dodds and Chuck Dawley portions of the Boulevard Overlay District

There being no further business, the meeting adjourned at 2:46 pm.

Submitted by,
L. Lynes
PlanComm04012019