

**TOWN OF SULLIVAN’S ISLAND, SOUTH CAROLINA  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

Wednesday, August 14, 2019

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) arrived at 6:40PM, Charlie Cole, Manda Poletti and David Peterseim. Staff members: Joe Henderson, Director of Planning, Lisa Darrow, Asst. to Administrator and Randy Robinson, Building Official.

**Call to Order.** Chair Visser called the meeting to order, stated press and public were duly notified pursuant to state law and all Commissioners were present except Hal Currey and Carl Hubbard (excused absences). One audience member (Councilmember Kaye Smith); no media.

**I. APPROVAL OF AGENDA – approved as presented**

**II. APPROVAL OF MINUTES – June 12, 2019**

**MOTION: Mr. Cole moved to approve the June 12, 2019 minutes as presented; seconded by Mr. Peterseim. MOTION UNANIMOUSLY PASSED.**

**III. PUBLIC INPUT – no written correspondence received**

**IV. ITEMS FOR CONSIDERATION**

- 1. Government and Institutional Zoning District: Consideration of establishing an institutional or governmental zoning district to accommodate federal, state, local and quasi-governmental owned and used properties island-wide.**

**Staff Report: (Director Henderson)**

**Staff Report – see Exhibit A (Powerpoint)**

- The Land Use & Natural Resources (LUNR) Committee of Council, at its July 24, 2019 meeting, discussed and recommended consideration for creating a governmental and institutional zoning district, requesting Town Council to direct the Planning Commission to study this concept.
- Staff provided background and overview for this potential land use zoning change, noting the current 2018-2028 Comprehensive Plan re-write, currently before Council for approval, incorporates consideration of this strategy in the Land Use Element Needs & Goals. **See Exhibit A**
- Clarified the Town is not authorized to restrict uses on federally owned parcels (i.e. Fort Moultrie/National Park Service). He noted the Town maintains an excellent relationship with the National Park Services and both entities work to respect the Island’s residents and cultural/natural resources.
- “Government” or “Institutional” would refer to federal, state or local government, or quasi-governmental, agencies. An example of quasi-governmental might be Charleston County School District (Sullivan’s Island Elementary School).

- Noted current government owned parcels are RS zoned or the zoning designation is unclear (i.e. Town campus at 2050/2056 Middle Street, grounds where Sullivan’s Island Elementary School has a long-term lease, Battery Gadsden and Battery Thompson).
- Director Henderson noted staff fields requests from property owners adjacent to government spaces seeking protection from noise, car exhaust, parking, light pollution, etc. with buffers and fencing taller than the allowable 5’ for residentially zoned properties. Many of the residents living adjacent to these government properties have requested fence height variances from the Board of Zoning Appeals for taller fences. A new zoning designation would provide adjacent property owners, and neighbors in general, clarification on what they would expect to see in the government zoned parcels, and offer buffering and other protections.

**Councilmember Kaye Smith (in audience)**, in answer to Chair Visser’s inquiry, clarified the LUNR Committee briefly discussed this concept, particularly as it is mentioned in the Comprehensive Plan Land Use Needs & Goals that Council is currently reviewing. LUNR Committee felt it was appropriate to have the Planning Commission study this strategy as she anticipates the Comprehensive Plan will be ratified/adopted soon.

Vice-Chair Cook arrived during Commission discussion of this agenda item.

**Commission Discussion**

Highlights of Commission discussion included:

**1. Potential uses in new zoning district**

Some uses cited were community events (i.e. Farmers’ Market and cultural events at Battery Gadsden); elementary school; library; fundraisers (i.e. Battery Gadsden Cultural Center); all the government uses on the Town’s Middle Street campus (Town Hall, Fire Station, Police Station, Maintenance Department and Water/Sewer facility); Fort Moultrie monument and Fort Moultrie Visitor’s Center and Museum.

**2. What lots would be in new zoning district**

Zoning district could include currently platted lots that are owned by a government entity and used for government purposes. Examples could include the Town campus on Middle Street, Stith Park, Sullivan’s Island Elementary School grounds, Battery Gadsden, Battery Thompson, and the Fort Moultrie visitor’s center.

**3. Potential draft language – elements and reference material**

Director Henderson noted:

- a. The ordinance would set forth (1) purpose and intent of change; (2) list of uses in zoning district (permitted, conditional and special exception uses); and (3) enumerate performance standards (i.e. parking, signage);
- b. Land Use Map and Zoning Map would be changed should Town Council adopt the new zoning district

- c. Cited Town of Summerville and its “Public Lands” zoning district which provides a very broad approach to this zoning classification, allowing Town Council with designation of uses and oversight of activity in the zoning district. Sullivan’s Island could similarly approach this zoning designation, providing a broad description of activities allowed on the government or institutional zoned parcels.

#### **4. General pros and cons of concept**

Commission spent some time debating the pros and cons of a new zoning designation, and, potential unintended consequences. Some questions/comments included

- Does Town need this classification?
- How would this zoning designation affect federal or state surplus property sales?
  - Can Town mandate federal or state government sell/swap land only to other government entities and not private citizens or LLC’s?
  - Would it be better to have properties that are embedded in residential areas, like the Fort Moultrie Visitor’s Center, revert to single-family residential instead of another government use? Several Commissioners agreed this would be a better scenario.
- Would Town want to discourage, when a property is sold, allowing properties to be used for more-intensive uses and instead encourage less-intensive (i.e. single-family residential houses)?
- If uses are enumerated in zoning district, they would apply to all properties identified in the zoning district. Is this desirable? Would Town want more flexibility on the uses?

#### **5. Other Questions**

- SCANA/Dominion and the Sand Dunes Club would not be included? Staff noted Sand Dunes Club is a non-conforming use on a residentially zoned parcel and that RS zoning would not change.
- Beach access paths included? Staff noted these paths are considered rights-of-way and would not be rezoned since they are not platted lots.

Director Henderson noted, for Commission reference, that the space at Battery Gadsden (I’On Avenue) is a good example of a Town owned property with an assortment of civic uses. The parcel contains the CCPL Poe Library, a non-profit organization (Battery Gadsden Cultural Center), has allowed fundraising (by Battery Gadsden Cultural Center), has allowed commercial activity through the Town’s special event (Farmers’ Market) and has allowed other municipal and/or federal special events on the property. This zoning designation could fill a gap that currently exists in the Town’s Zoning Ordinance and Land Use/Zoning maps.

#### **Next Steps**

Commission requests Council guidance and direction at its August 20, 2019 meeting when the LUNR Committee makes its recommendation to Council. In anticipation of next month’s Planning Commission meeting, Commission provided staff direction on deliverables.

**MOTION: Vice-Chair Cook moved for Commission to begin study of potentially changing the Town's Zoning Ordinance to establish an institutional or governmental zoning district to accommodate federal, state, local and quasi-governmental owned and used properties island-wide, directing Staff to provide the Commission at its September 11, 2019 meeting the following: (1) rough draft ordinance language; (2) comparable treatment of this topic by other municipalities for baseline reference and study; and (3) consult with Town attorney to identify pros and cons of a new zoning district to help identify unintended consequences for a zoning use change, incorporating the questions and concerns raised in this meeting. Seconded by Ms. Poletti. MOTION UNANIMOUSLY PASSED.**

## **V. STAFF COMPREHENSIVE PLAN UPDATE**

- 1. Town of Sullivan's Island Comprehensive Plan 2018-2028: Town Council final reading and adoption of the Comprehensive Plan rewrite is scheduled for Tuesday, August 20, 2019 at 6:00PM.**

Director Henderson encouraged Commissioners to attend the August Regular Council meeting for the Council's review and potential approval/ratification of the Comprehensive Plan.

Next meeting: (6:00PM) Wednesday, September 11, 2019 with one current agenda item: continue discussion from this evening of Government and Institutional Zoning District.

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

Respectfully submitted,  
Lisa Darrow  
Asst. to Administrator

Approved at the September 11, 2019 Planning Commission Meeting



# PLANNING COMMISSION

Town of Sullivan's Island

August 14, 2019

# Governmental / Institutional Zoning District

Consider establishing a governmental or institutional zoning district to accommodate federal, state, local and quasi-governmental owned and used properties island-wide.

# Comprehensive Plan recommends...

## LAND USE GOALS AND OBJECTIVES

The purpose of Sullivan’s Island land use planning efforts is to ensure that the Town maintains its small-town character and controls the land uses currently present on the Island, as well as maintain future growth. The following objectives and policies are a guiding framework to achieve these ends:

LAND USE GOALS:		
OBJECTIVES	RESPONSIBLE PARTIES	TIMEFRAME
<b>LAND USE POLICY 1: PRESERVE THE SINGLE-FAMILY RESIDENTIAL CHARACTER OF THE ISLAND</b>		
LUI.1 Keep housing density low through maintaining half-acre lot sizes and other regulations	Town Council; Planning Commission	Ongoing
LUI.2 Continue to prohibit multifamily development	Town Council; Planning Commission	Ongoing
LUI.3 Continue to restrict the short-term rental market and enforce all policies pertaining to the regulations.	Town Council; Town Administration	Ongoing
LUI.4 Consider creation of an “institutional” or “governmental” zoning district to properly separate more intensive uses from residential properties by way of zoning standards.	Town Council; Town Administration; Planning Commission	Short-Term

# Existing Land Use Map



# RS Zoning District

## **Sec. 21-20. Permitted, conditional, special exceptions and prohibited uses.**

### **A. Permitted uses in the RS-District.**

- (1) One single family detached dwelling per lot, designed for and occupied exclusively as a residence by one family, either owner or renter occupied.
- (2) Publicly owned facility or land.
- (3) Non-commercial horticulture or agriculture.

# What is a Governmental Zoning District?

- Would be a new district and chapter in the Zoning Ordinance, applied to existing governmental and public uses.
- Would outline requirements for publicly owned or quasi-public properties.

# Purpose?

Would outline existing and anticipated uses.

- Government services campus (Town Hall, Fire Station, etc.)
- Libraries and museums
- SI Elementary School
- Maintenance facilities
- Federal monuments (Fort Moultrie, Lighthouse, etc.)
- Locally owned monuments (Battery properties, parks)
- Utility facilities
  - Water Treatment Plant
  - Substations
  - Water Tower

## Why would it be useful?

- Would allow government uses to function yet clarify the following:
  - **Allowed uses** (government, nonprofit, special events, etc.)
  - Establish **performance standards** (very flexible)
  - Allow **buffers** for residents (higher fences, different designs).

# Process to establish a new district?

Step 1: PC creates the structure of the new Chapter  
hold a public hearing:

- **Purpose & Intent:** List reasons. Typically, very flexible standards are established to allow government uses to operate for the public use and benefit.
- **Use Regulations:** Note any permitted and conditional uses
- **Development Standards:** Setbacks, building height, coverage limits

## Process to establish a new district?

Step 2: Council would rezone the property with the following process:

- **Newspaper advertisement**- 30-day window
- **Mail notice**- All property owners within 200' feet of the property lines.
- **Posting property**- Sign visible from right of way
- **Official Zoning map** is changed

# Summerville:

## Sec. 32-135. - PL Public Lands District

- a) **Purpose.** The purpose of this PL public lands district is to establish and preserve areas for the use of certain public purposes.
- b) **Permitted uses.** Permitted uses in the PL district shall be any governmental function which is legally authorized to the governmental agency proposing the use.
- c) **Accessory uses.** Accessory uses in the PL district are as follows: Uses on the same lot and customarily incidental to the permitted uses including, but not limited to, garages or parking structures for vehicles, off-street parking and loading zones, storage facilities, radio tower and transmission facilities, water towers and sewage pumping facilities.
- d) **Area and yard requirements.** There are no minimum lot sizes or setback requirements within the property to be developed in the PL district; however, the overall site plan must be approved by town council. Any lot created under this PL zoning district must observe the minimum lot frontage of 50 feet.
- e) **Signs.** Sign regulations for the PL district are found in article VI of this chapter.
- f) **Parking requirements.** Parking requirements for the PL district are found in article VII of this chapter.
- g) **Building design and site plan review.** Building design and site plan review for the PL district are as follows:
  - (1) Maximum building height: As approved by town council.
  - (2) Maximum impervious surface area: As approved by town council.
  - (3) See article VIII of this chapter for site plan review requirements.