

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA  
PLANNING & DEVELOPMENT COMMITTEE  
FEBRUARY 4, 2019  
MINUTES**

Municipal Complex, Committee Meeting Room

[PowerPoint Presentation](#)

Attachment 1—[Mount Pleasant Waterworks PowerPoint Presentation](#)

**Present:** Joe Bustos, Chair, Bob Brimmer, Guang Ming Whitley, Tom O'Rourke.

**Staff:** Eric DeMoura, David Pagliarini, Jeff Ulma, Marcy Cotov, Kent Prause, Michele Canon, Melinda Turner

Mr. Bustos called the meeting to order at 12:30 pm and reviewed the procedures with the public.

*Mr. Bustos moved to amend the agenda to discuss the Planning Commission items first. Mr. O'Rourke seconded the motion. All in favor.*

**1. Approval of Minutes from the [January 3, 2019](#) meeting**

*Mr. O'Rourke moved for approval of the minutes. Ms. Whitley seconded the motion. All in favor.*

**2. Public Comments**

Mr. Johnny Driggers, 705 Chatter Road, spoke regarding short-term rentals (STR). He suggested that the proposed regulation is too extreme. He suggested that often the short-term rental generates less traffic than a traditional long-term rental would. He suggested that existing short-term rentals should be allowed to continue. He suggested that short-term rentals should not be required to be owner occupied.

Ms. Michele Whitbeck, 712 Hibbens Grant Blvd, stated that she is opposed to short-term rentals being owner-occupied and suggested that short-term rentals should not be prohibited for townhomes. She suggested that short-

term rentals should not be restricted according to a street block or be required to be owner occupied. She suggested that the existing townhomes should be allowed to remain.

Ms. Sarah Jacob, 1152 Village Creek Lane, suggested that the reason for regulating short-term rentals is to maintain the character of the neighborhoods. She suggested that short-term rentals change the character of the neighborhoods. She suggested that the character of the neighborhood should be preserved. She agreed that short-term rentals should be regulated.

Mr. Chris Line, 908 N. Shem Drive, stated that his parent's home is a short-term rental while they live out of the state, as well as a bed and breakfast within their home. He suggested that the short-term rental that is owner-occupied is different from a whole house rental and should be differently regulated. He suggested that there should not be a restriction on the number of short-term rentals allowed within a street block.

### **3. Review of Planning Commission recommendations from the [January 23, 2019 meeting](#)**

- a. [R-01-19](#), Request to rezone from PI-2, Public Institutional-2 District, to LI, Light Industrial District, one parcel in its entirety located at 520 King Street between Greenwich and Simmons Street, Parcel ID TMS No.: 532-01-00-227**

Mr. Ulma reviewed the request with the Committee. The Planning Commission recommended approval.

Mr. Bustos asked if the monopole could be allowed within the PI-2 zoning. Mr. Ulma answered in the negative and stated that an ordinance amendment would be required to add that as an allowed use. Mr. Bustos asked if a special exception could be requested. Mr. Ulma answered in the negative and stated that it is not allowed as a special exception within the PI-2 zoning.

Mr. Brimmer asked the reason why a special exception could not be requested. Mr. Ulma answered that the monopole would have to be part

of a Mount Pleasant Waterworks (MPW) use with the other providers being ancillary to the MPW use; since this is not the case, the rezoning would be required.

Mr. Bustos asked if the LI uses would remain if MPW did not utilize the property. Mr. Ulma answered in the affirmative. Mr. Bustos asked what uses are allowed under LI. Mr. Ulma answered that uses such as a commercial nursery, tattoo parlors, and warehouse uses, for instance are allowed within LI zoning.

Mr. Brimmer asked if site design is approved by staff for PI zoning. Mr. Prause answered in the affirmative. He stated that the PI zoning was established to allow more flexibility with staff approval of site design for public uses such as a school, church, public utility, etc. He stated that the reason for not allowing additional uses was to limit the number of revenue generating uses that do not specifically relate to the main use of the property.

Ms. Whitley asked the height of the water tower. Mr. Ulma answered that it is 145 feet and the proposed monopole will be 170 feet. Ms. Whitley asked the reason existing telecommunication providers are currently allowed. Mr. Prause answered that they are allowed as a permitted use on an existing structure.

Mr. Clay Duffie, MPW, reviewed his request through a PP presentation (attachment 1).

Mr. Bustos stated that the Committee only has the rezoning request before them. He asked staff if an amendment could be considered to allow the monopole without rezoning to LI and suggested that this should be researched and options brought back to the Committee.

Mr. O'Rourke asked if the rezoning could be conditioned so that it reverted back to PI. Mr. Ulma answered in the negative.

Mr. Brimmer asked the reason for the additional height for the monopole. Mr. Mike Flint, telecommunication executive, answered that it would be a concealed monopole system with the antennas screened within the pole. Mr. Brimmer asked if the additional height is needed in order to provide the current service. Mr. Flint answered in the affirmative.

Ms. Whitley asked if small cell facilities could be considered. Mr. Flint answered that the small cell facility would require additional poles and cables which would be cost prohibitive.

Mr. Bustos asked staff to determine an ordinance amendment that would allow the monopole without rezoning to LI. Mr. Ulma answered that staff could bring back some options at the next Committee meeting.

*The Committee agreed to continue discussion at the next meeting.*

Mr. O'Rourke left at this time (1:12 pm).

- b. **[A-1-19: Fox Tail Lane](#)**. Request to annex an approximately 0.64 acre tract of land comprised of three parcels located off Bowman Road and 1251 and 1259 Fox Tail Lane, identified by TMS No. 560-02-00-013, -014, and -015 and depicted on plats recorded by Charleston County ROD Office in Plat Book S16, Page 0108, Plat Book DB, Page 10, and Plat Book BJ, Page 169.
- c. **[R-02-19](#)**, Request to zone AB-2, Areawide Business-2 District, an approximately 0.66 acre tract of land comprised of three parcels located at 1251 and 1259 Foxtail Lane, Parcel ID TMS No's.: 560-02-00-013, -014, -015

Mr. Ulma reviewed the request with the Committee.

Mr. Bustos asked if the property would be aggregated. Mr. John Burn, owner, answered in the affirmative and stated that it would be done sometime in the future. He stated that he is considering rental of the property for office space. Mr. Bustos asked what uses would be allowed

in AB-2. Mr. Ulma reviewed the allowed uses such as a brewery, winery, club, lodge, cultural facility, etc.

Ms. Whitley asked if the surrounding property is AB-2. Mr. Ulma answered in the affirmative.

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

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

- d. **[A-2-19: 1713 Halls Pond Road](#). Request to annex an approximately 0.41 acre tract of land located at 1713 Halls Pond Road, identified by TMS No. 558-00-00-893 and depicted on a plat as lot B1A recorded by Charleston County ROD Office in Plat Book DF, Page 877.**
- e. **[R-03-19](#), Request to zone AB-2, Areawide Business-2 District, one parcel in its entirety. Also request to amend the Comprehensive Plan Future Land Use Map designation from Community Conservation to Commercial located at 1713 Halls Pond Road, Parcel ID TMS No.: 558-00-00-893**

Mr. Ulma reviewed the request with the Committee.

Ms. Whitley asked why AB-2 was requested. Mr. Ulma answered that they currently have outdoor storage, which is allowed in AB-2 through a Special Exception. Ms. Whitley asked if the current operations are allowed as an existing use within the county. Mr. Ulma answered that he is not sure if the current operations are allowed under the county zoning.

*The Committee made no motion, so the request will be forwarded to Town Council with no recommendation.*

4. **Request for one year extension of vested rights of the Bridgeside II Planned Development District regarding the development known as the Legacy**
5. **Request for one year extension of vested rights of the Bridgeside II Planned Development District regarding the development known as Ferry Wharf**

Mr. Ulma reviewed the request with the Committee.

[The Committee convened for a short break at 1:29 pm and reconvened at 1:31 pm.]

Mr. Bustos asked if the vested rights would not be extended if there are changes in the Town ordinances that would prohibit some aspect of the approved plan. Mr. Ulma answered in the affirmative.

Ms. Whitley asked if it is required to be approved under state law. Mr. Ulma answered in the affirmative. Ms. Whitley asked if the vegetative provisions would be taken into account with the one-year extension. Mr. Ulma answered in the affirmative.

Mr. Bustos asked if they have to proceed forward with development within the year. Mr. Ulma answered in the negative and stated that they are allowed five one-year extensions by state law.

*Mr. Brimmer moved to recommend to Town Council approval of the extension for item #5, Bridgeside II, Legacy. Ms. Whitley seconded the motion. All in favor.*

*Ms. Whitley moved to recommend to Town Council approval of the extension for item #6, Bridgeside II, Ferry Wharf. Mr. Brimmer seconded the motion. All in favor.*

## **6. Discussion of draft of Short Term Rental regulations**

Mr. Bustos stated that this is a complicated issue. He stated that as other municipalities have enacted legislation, there have been changes. He suggested that he would like to ensure that this issue is thoroughly reviewed prior to any regulations being put in place.

Ms. Canon reviewed the request with the Committee including the recommended changes from the last meeting.

Ms. Whitley suggested that the existing short-term rentals should count toward the maximum allowed. She suggested that the percentage of fees allocated for affordable housing should be included in the ordinance. Mr. Ulma stated that finance and legal have been reviewing these issues and suggested that it should be more of a budget process.

Mr. Bustos suggested that allocation of funds could be handled through the budget process.

Mr. DeMoura stated that a minimum of \$250 would be needed for administrative costs. He suggested that a portion of the remaining fee could be allocated to a specific program.

Mr. Brimmer suggested that the allocation should not be done until the actual costs of administering the process is determined.

Mr. Bustos suggested the following considerations—

- All rental property should be licensed and inspected
- Consider prohibiting multi-family units and ADUs as short-term rentals—what are the implications if we prohibit these types of dwelling units being used as short term rentals.
- Tax assessment is calculated as a rental unit—Charleston County handles the tax assessment but is there a way to ensure the rental is taxed at the higher assessment.

Ms. Canon stated that the change was made as requested at the last meeting to allow owner-occupied short-term rentals for multi-family units and asked

if this should be removed. Mr. Bustos answered in the negative and stated that he would just like to know what the implications are if these types of units are prohibited.

Mr. Bustos suggested that the Business License requirement regarding rental units might need to be changed for long-term rentals as well as short-term rentals so that having one rental unit requires a business license. Ms. Turner answered that they would research this for the Committee.

Mr. Ulma stated that staff is prepared to have a draft ordinance ready for a recommendation at the next Committee meeting.

Mr. Brimmer asked that a draft ordinance should be provided to Town Council to review well in advance of the next meeting.

There being no further business, the meeting adjourned at 1:56 pm.

Submitted by,

L. Lynes

PlanComm02042019