

TOWN OF SEABROOK ISLAND, SC
PUBLIC HEARING MINUTES
November 17, 2020 at 2:00 PM at Town Hall

The November 17, 2020 Public Hearing was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilmembers Crane, Finke, Fox and Goldstein, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting. Mayor Gregg called the meeting to order and confirmed with the Town Clerk that notice of the meeting had been posted and the requirements of the SC Freedom of Information Act had been met.

The Public Hearing was scheduled to hear comments on the following:

- **Ordinance 2020-10**: An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 16, Design and Improvement Standards; Section 16.10, Subdivision Design Standards; Subsection 16.10.50.160, Street Names; so as to amend the naming requirements for new streets; and to create a new section called Section 16.50, Street Naming Policy; so as to adopt a policy and procedures for the naming of new streets and the renaming of existing streets within the town
- **Ordinance 2020-11**: An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-03-00-119, containing approximately 0.50 +/- acres located at 3095 Baywood Drive, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District
- **Ordinance 2020-12**: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article II, Flood Damage Prevention; Section 20-22, County Ordinance Adopted by Reference; Administration of Article; so as to adopt the most recent version of the Charleston County Flood Damage Prevention and Protection Ordinance
- **Ordinance 2020-13**: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Article 8, Businesses and Business Regulations; Section 8-27, Proof of Insurance; so as to delete the requirement for contractors and subcontractors to submit proof of insurance as a precondition to the issuance of a business license
- **Ordinance 2020-14**: An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, Definitions and Interpretation of Terms; Section 2.10, Definitions; so as to add definitions for “Dwelling, Accessory,” “Short-Term Rental Unit,” “Vacation Club Unit,” “Vacation Time sharing Lease Plan,” “Vacation Time Sharing Ownership Plan,” and “Vacation time sharing plan;” to delete definitions for “Dwelling, Rental” and “Guesthouse;” and to modify the definition for “Family;” Article 5, Zoning District Specifications; Section 5.20, Agricultural-General (AG); Subsection 5.20.30, Conditional Uses; so as to amend the requirements for Accessory Dwelling Units and to establish Short-Term Rental Units and Vacation Club Units as allowed conditional uses in the AG zoning district; Section 5.30, Single-Family Residential District (SR); Subsection 5.30.30, Conditional Uses; so as to amend the requirements for Accessory Dwelling Units and to establish Short-Term Rental Units and

Vacation Club Units as allowed conditional uses in the SR zoning district; and Section 5.40, Planned Development District (PDD); Subsection 5.40.50, PDD Conditional Uses; so as to establish Accessory Dwelling Units, Short-Term Rental Units and Vacation Club Units as allowed conditional uses within PDD zoning districts; and Article 8, General Development Requirements; Section 8.70, Restricted Uses; Subsection 8.70.30, Time Sharing; so as to amend the prohibition on Vacation Time Sharing Plans

- **Ordinance 2020-15**: An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; so as to amend the fee schedule for various application and service fees
- **Ordinance 2020-16**: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; so as to amend the term of office for the Mayor and members of Town Council; so as to amend the general powers of the Mayor and Town Council; so as to amend the emergency powers of the Mayor; so as to clarify the role of the Mayor Pro Tempore; and other matters related thereto; and Chapter 12, Elections; so as to amend the commencement date for the terms of office for the Mayor and members of Town Council
- **Ordinance 2020-17**: An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-010, containing approximately 0.25 +/- acres located at 2726 Old Forest Drive, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District
- **Ordinance 2020-18**: An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, Definitions and Interpretation of Terms; Section 2.10, Definitions; so as to add definitions for “base flood elevation (BFE),” “Design Flood Elevation (DFE),” and “Freeboard,” and to amend the definitions for “Building Height” and “Flood Hazard District”; and Article 7, Lot and Building Requirements; Section 7.90, Height Limitations; so as to amend the maximum height requirement for structures within the town

Mayor Gregg stated that, under the State of Emergency, due to the pandemic, the Town is not holding in-person meetings and public comments are being received in writing, either through the Town’s website, an email or delivered to the Town Hall in person or by mail.

The Town Administrator reported on comments that had come in by way of the website on each ordinance, giving the name of the person commenting, the date the comment was received and a short summary of the comment. The Town Clerk read out a list of people who commented by way of email, mail or delivery to the Town Hall, giving their address, when provided, and the date the comment was received. All comments had been passed along to Town Council for their review before the Public Hearing.

Mayor Gregg asked that a list of all the comments be posted on the Town’s website as quickly as possible. A copy of all comments will also be attached to the approved minutes of the Public Hearing.

There being no further business, the meeting was adjourned at 2:34 p.m.

Date: December 15, 2020



Town Clerk

TOWN OF SEABROOK ISLAND
Town Council Meeting
November 17, 2020, at 2:30 p.m.

MINUTES

The November 17, 2020 Town Council meeting was conducted as a video conference using Zoom and was simultaneously made available to the public via YouTube live stream and by conference call, all in keeping with practices adopted to address the ongoing coronavirus pandemic. Mayor Gregg, Councilmembers Crane, Finke, Fox and Goldstein, Town Administrator Cronin and Town Clerk Allbritton participated in the meeting. Mayor Gregg called the meeting to order. The Town Clerk confirmed that notice of the meeting was properly posted, and the requirements of the SC Freedom of Information Act were met.

Minutes:

The following minutes were unanimously approved as written:

- Town Council Special Meeting of October 22, 2020
- Town Council Meeting of October 27, 2020
- Public Hearing of October 27, 2020
- Budget Workshop Meeting of October 29, 2020

Financials:

Mayor Gregg reported that the total fund balance for the period ending October 31, 2020 was \$5,420,090, about \$393,165 more than the balance for the same period in 2019. Unrestricted revenue for October totaled \$81,320. Unrestricted revenue for the year, as of October 31, totaled \$1,070,615, representing about 89% of the 2020 amended annual budget, and was about \$172,663 less than the same period in 2019. Expenditures for October totaled \$68,742 and expenditures for the year, as of October 31, totaled \$731,855, representing about 61% of the 2020 amended annual budget. Expenditures for the year were about \$294,371 less than the same period in 2019, due primarily to there being no expenditures for the roadway project and no capital expenditures during the period this year, compared to \$67,397 in capital expenditures in the same period in 2019, and more than \$74,948 less in engineering charges compared to 2019. Excess of revenues over expenditures was \$12,578 for October and the excess of revenues over expenditures was about \$338,759 for the year, as of October 31, compared to about \$217,052 for the same period in 2019.

Citizens/Guests Presentations, Comments: None

Reports of Standing Committees, Commissions, Boards:

Public Safety Committee – Skip Crane

Councilman Crane reported that the Public Safety Committee met on Monday, November 9, 2020. The Committee reviewed the steps for distributing the updates to the Town's Comprehensive Emergency Plan, which the Town Hall employees will copy when requested by members of the Disaster Recovery Council (DRC). The Chairman also reviewed the 2021 Emergency Preparedness budget with the Public Safety Committee. The Town will no longer have satellite phones. The Town will continue to work with Scott Cave as the Town's emergency preparedness consultant. The Town will also participate, along with Kiawah Island, in the Disaster Awareness Day event, which is currently scheduled for June 10, 2021. Plans were discussed for a DRC exercise to be scheduled for the first quarter of 2021. Suggestions for the exercise will be discussed at the December 14 meeting.

Public Relations/Communications – Pat Fox – No Report

Special Projects/Beach Administration – Barry Goldstein

Councilman Goldstein reported that he and the Town Administrator had met with ESP Associates, Inc. and he hopes to have a scope of work proposal for the outbound pathway soon.

Beach Administration/Community and Government Relations – Councilwoman Finke – No Report

Ways & Means – John Gregg

The Mayor reported that the following topics were discussed at the November Ways & Means Committee meeting:

Charleston County Flood Damage Prevention and Protection Ordinance – Mayor Gregg reported that he had received notice from South Carolina Department of Natural Resources that the Town's ordinance adopting the Charleston County Flood Damage and Protection Ordinance would require referencing the number of Charleston County's ordinance and its date of adoption and the Town would be required to adopt subsequent changes by ordinance, not resolution. Appropriate changes have been made to Ordinance 2020-12 as presented to Council for second reading.

Proposed Regulation of Short-Term Rentals – The Mayor reported that the Town had received public comments concerning Ordinance 2020-14 and encouraged members of Council to take note of the comments. Some comments expressed concern that public notice of the proposed ordinance was not satisfactory, and the Town Administrator had requested an opinion from the Town Attorney. Mayor Gregg indicated that the ordinance would be on the November Town Council agenda. Councilwoman Finke expressed the preference that applications for the permit contemplated by the ordinance and license renewal notices would be issued together. Town Administrator Cronin indicated that business licenses renewals could be delayed as late as April 30 as that date would be in line with changes that will be required in 2022 under the South Carolina Business License Standardization legislation.

Discussion with Representatives of Seabrook Island Property Owners Association Regarding Construction Challenges (Revised Flood Insurance Rate Maps) – The Mayor noted that the Town Administrator had met with representatives of the SIPOA to discuss design concerns that would arise from changes of base flood elevation under the revised Flood Insurance Rate Maps (FIRM). The Town Administrator had prepared Ordinance 2020-18 which would allow a six-month grace period for continued reliance on the base flood elevation in effect prior to the revised FIRM effective date of January 29, 2021. The revision of the DSO should be completed by the end of the grace period and will provide a permanent solution.

Public Safety Committee – Councilman Crane reported that the Public Safety Committee met on November 9.

Roadway Projects – Councilman Goldstein reported that he and the Town Administrator expected to meet, during the week of November 16, with representatives of ESP Associates, Inc. concerning proposals for drainage improvements for the bicycle/pedestrian pathway.

Action Items for November Town Council Meeting – The Town Administrator reminded Council that Ordinances 2020-13, 2020-14, 2020-15 and 2020-16 would be on the November 17 Town Council agenda for second reading. Ordinances 2020-17, 2020-18 and 2020-19 would also be on the agenda for first reading.

Items for Information – Town Administrator Cronin summarized plans for a drive through Christmas event for residents and asked for approval for outdoor electrical work that would add permanent electrical outlets on the Town Hall grounds. Council expressed approval for electrical work for an estimated cost of \$6,500.

Planning Commission – No Report

Board of Zoning Appeals – No Report

Reports of Ad Hoc Committees:

Development Standards Ordinance Advisory Committee – Councilman Crane, Chairman, reported that the DSO Advisory Committee met on November 12 via teleconference. The Committee continued reviewing definitions being proposed in the updated DSO. The next meeting is scheduled for November 19 and, if definitions are completed, the consultant will provide an updated second draft of the proposed articles. Town Administrator Cronin has recommended that members take a few weeks to review the updated draft and send a list of items for which they would like to have additional discussion. Once those items have been identified, the Committee will hold one or more additional meetings to discuss the identified items for review.

Regulation of Short-Term Rentals Committee – Councilwoman Finke stated that Ordinance 2020-14 is on the agenda for today’s meeting and she would have amendments to propose to the ordinance at that time.

Reports of Town Officers:

Mayor – John Gregg

- **Petition Effort Concerning the Town’s Proposed Regulation of Short-Term Rentals** – Earlier this year, Mayor Gregg established an ad hoc committee to investigate potential regulation of short-term rentals within the Town that would complement the Seabrook Island Property Owners Association’s regulations. The Committee worked with the Town Administrator to develop potential regulations. Following meetings with interested stakeholders, an ordinance was submitted to Town Council at its October Town Council meeting. A Public Hearing was advertised and scheduled for the day of the November Town Council meeting. After posting the comment period on the Town’s website, many comments were received. Mayor Gregg acknowledge and apologized for an incorrect answer he gave to a comment that was sent by email. He stated that he had incorrectly stated that that Ordinance 2020-14 had not been disseminated by the Town prior to approval at first reading. Ordinance 2020-14 was available through the Town’s website for public comment prior to the October Town Council meeting and was posted on SIPOA’s blog, Tidelines, at the request of the Town, prior to the October Town Council meeting.

The Mayor commented that a petition has been submitted to the Town that reflects some of the concerns noted in comments received by the Town. Some comments also suggest that non-resident property owners were at a disadvantage to keep informed in respect of the Town’s process. Those comments overlook that the Town publishes agendas, minutes and audio and video recordings of meetings on the Town website (<https://www.townofseabrookisland.org> under the Meetings tab) and would be available to the public generally, including non-resident property owners. In addition, there are routine postings of information concerning Town Council and Ways & Means Committee meetings on Tidelines (<https://tidelinesblog.com>) with links to agendas, recordings and related materials on the Town’s website. It is inaccurate to suggest that the Town’s process favors residents over non-residents since the Town disseminates information through channels of communication that are not geographically limited and allow for access to information from the Town at the convenience of the public.

The petition that has been submitted requests that consideration for second reading of the Ordinance 2020-14 be suspended until it has been approved by SIPOA and the Seabrook Island Club. Mayor Gregg indicated that the Town has no authority to suspend action on proposed ordinances pending approval of other organizations. Section 2-24 of the Town Code gives legislative power to the Town Council and Sec. 2-131 makes it the duty of Town Council to pass ordinances that in their judgment best promote the interests of the citizens and property holders of the Town. The Mayor added that it is expected that Council will consider delaying approval of Ordinance 2020-14 to a subsequent Town Council meeting. With that in mind, the Mayor called for a motion to deny the petition as presented. Councilman Crane made a motion to deny the petition as submitted to the Town. Councilwoman Finke seconded the motion and the vote to approve the motion to deny the petition was unanimous.

Main Road Corridor – Mayor Gregg reported that, in 2018, Charleston County approved a phased, three segment approach to road improvements on Johns Island which was referred to as the Main Road Corridor Project. An online comment facility for Segment C, which is directed toward improvements from Maybank Highway to Betsy Kerrison Parkway, was opened on October 12 and will remain open through December 16. Of the five alternatives presented, Alternative 3 illustrates a proposed new road running from near the intersection of River Road and Bohicket Road to a location on River Road north of Plow Ground Road. Alternative 3 is the most like a cross-island road that Kiawah and Seabrook Island have advocated for in the past. When Mayor Gregg asked members of Council whether they would support a submission, on behalf of the Town, expressing support for that Alternative, they agreed unanimously. Mayor Gregg stated that he would pass along Council’s support of Alternative 3 to the Mayor of Kiawah.

Town Administrator/Zoning Administrator – Joe Cronin

- **SC Cares Grant Update** – The Town Administrator stated that, on Friday, he had submitted the Town’s request to the SC Cares Grant Portal for reimbursement of eligible expenditures, related to COVID-19, that the Town incurred between July 1 and November 16, 2020. The amount of the current request was \$10,764.28. A previous request had been submitted a few months ago for \$16,872.76 and that request is still pending.
- **Holiday Drive-Through Event** – Town Administrator Cronin stated that, due to COVID-19 and not being able to accommodate people at the Town Hall for the Town’s annual holiday drop-in celebration, an alternative event is being planned this year that would be a drive-through type event. The event will be held on Thursday, December 10, from 5:00 p.m. to 8:00 p.m. He encouraged residents to drive up and be greeted by Town Council and Town Hall employees, receive a treat and bring Toys for Tots contributions. If residents wish to bring a toy before the event, collection boxes will be located inside the Town Hall. The Town Hall’s last day for collecting toys will be December 10.

Town Council Members – See Above

Utility Commission: No Report

Petitions Received, Referred or Disposed of: For disposition of a petition relating to regulation of short-term rentals, see the preceding report of the Mayor.

Ordinances for Second Reading:

- **Ordinance 2020-10:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 16, Design and Improvement Standards; Section 16.10, Subdivision Design Standards; Subsection 16.10.50.160, Street Names; so as to amend the naming requirements for new streets; and to create a new section called Section 16.50, Street Naming Policy; so as to adopt a policies and procedures for the naming of new streets and the renaming of existing streets within the town. Councilman Crane made a motion to approve Ordinance 2020-10 on second reading. Councilwoman Finke seconded the motion. Councilman Goldstein suggested that the fee for renaming a street be waived if the current name is objectionable. Town Administrator Cronin stated that it would be a value judgment as to what constitutes something that would be eligible for that exemption. The Planning Commission came up with the fee based on the cost to the Town to cover holding and advertising a Public Hearing – certified mail sent to property owners, advertising in the newspaper, etc. Councilman Goldstein added that he would not want the fee to be a deterrent to residents if they felt the name of a street should be changed and would like for Council to be able to waive the fee. The Town Administrator recommended striking the fee since Council would not be able to waive the fee since such requests would go through the Planning Commission. Councilman Crane made a motion to amend 2020-10, Section 16.50.20.30 (a), to eliminate the wording referring to an application fee. Councilwoman Finke seconded the motion and the vote to approve was unanimous. Councilman Crane made a motion to approve Ordinance 2020-10, as amended, on second reading. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Ordinance 2020-11:** An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-03-00-119, containing approximately 0.50 +/- acres located at 3095 Baywood Drive, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilman Crane made a motion to approve Ordinance 2020-11. Councilman Crane made a motion to approve Ordinance 2020-11, as presented, for second reading. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

- **Ordinance 2020-12:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article II, Flood Damage Prevention; Section 20-22, County Ordinance Adopted by Reference; Administration of Article; so as to adopt the most recent version of the Charleston County Flood Damage Prevention and Protection Ordinance. Mayor Gregg commented that, at second reading, the ordinance reflects changes proposed to satisfy requirements of applicable State Law. This ordinance now contains a reference to Charleston County Council’s ordinance number and the date of adoption of that ordinance as well as the provision that the Town would have to adopt subsequent changes by ordinance. Councilman Crane made a motion to adopt Ordinance 2020-12, as presented, for second reading. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Ordinance 2020-13:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Article 8, Businesses and Business Regulations; Section 8-27, Proof of Insurance; so as to delete the requirement for contractors and subcontractors to submit proof of insurance as a precondition to the issuance of a business license. Councilman Crane made a motion to adopt Ordinance 2020-13, as presented for second reading. Councilwoman Finke seconded the motion. Town Administrator Cronin commented that, if second reading of the short-term rental ordinance were delayed until the December Town Council meeting, the meeting would be held on December 15. It has been the goal to have the business license renewal forms and the short-term rental permit forms mailed at the same time; but, by the time of the next Town Council meeting (December 15), we would have already mailed out business license renewal notices. An amendment to Ordinance 2020-13 has been prepared that would delay the business license renewal date from January 31 to March 31 as well as deleting the requirement for proof of insurance for contractors and subcontractors. Councilman Crane made a motion to approve the amendment to Ordinance 2020-13 as presented. Councilwoman Finke seconded the motion and the vote to approve was unanimous. The vote to approve Ordinance 2020-13, as amended, for second reading was unanimous.
- **Ordinance 2020-14:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, Definitions and Interpretation of Terms; Section 2.10, Definitions; so as to add definitions for “Dwelling, Accessory,” “Short-Term Rental Unit,” “Vacation Club Unit,” “Vacation Time sharing Lease Plan,” “Vacation Time Sharing Ownership Plan,” and “Vacation time sharing plan;” to delete definitions for “Dwelling, Rental” and “Guesthouse;” and to modify the definition for “Family;” Article 5, Zoning District Specifications; Section 5.20, Agricultural-General (AG); Subsection 5.20.30, Conditional Uses; so as to amend the requirements for Accessory Dwelling Units and to establish Short-Term Rental Units and Vacation Club Units as allowed conditional uses in the AG zoning district; Section 5.30, Single-Family Residential District (SR); Subsection 5.30.30, Conditional Uses; so as to amend the requirements for Accessory Dwelling Units and to establish Short-Term Rental Units and Vacation Club Units as allowed conditional uses in the SR zoning district; and Section 5.40, Planned Development District (PDD); Subsection 5.40.50, PDD Conditional Uses; so as to establish Accessory Dwelling Units, Short-Term Rental Units and Vacation Club Units as allowed conditional uses within PDD zoning districts; and Article 8, General Development Requirements; Section 8.70, Restricted Uses; Subsection 8.70.30, Time Sharing; so as to amend the prohibition on Vacation Time Sharing Plans. Councilman Crane made a motion to approve Ordinance 2020-14, as presented, for second reading. Councilwoman Finke seconded the motion. Councilwoman Finke offered an amendment, which is a substitute, for Ordinance 2020-14 and made a

motion for Council to consider the substitute ordinance. Councilwoman Fox seconded the motion.

Town Administrator Cronin then highlighted the changes made in the substitute ordinance:

- On page 6, items (g) South Carolina Retail License and (h) Payment of State and Local Taxes – Instead of non-payment being considered a violation of the ordinance, evidence of having a SC Retail License and proof of payment of all required state and local taxes must accompany the short-term rental permit application when submitted to the Town.
- On page 6, in (1) Occupancy Limit – Wording has been changed to indicate that maximum occupancy limit is focused on overnight hours. It has also been made clear that maximum occupancy is tied to the entire unit, not to a particular bedroom or living space.
- On page 7, Under (1) Occupancy Limit, item (v) has been added to indicate that the maximum occupancy limit only applies when the unit is being rented, not occupied by the owner, their family or non-paying guests.
- On page 11, (q) Inspections – This section (1-4) now contains a description of the types of inspections, exceptions to notice requirements and who has authority to request documentation to ensure compliance. With Routine Inspections, which is anything that is not an emergency, a minimum of 24-hour's notice, will be given and will be accomplished between the hours of 9:00 a.m. and 5:00 p.m. Routine Inspections will be avoided between Memorial Day and Labor Day, when possible. Emergency Inspections occur when a condition exists that endangers public health or public safety, and two hours' notice will be provided. Exceptions to Notice Retirements provides that, if the notified party or the occupant of a short-term rental unit waives the notice requirement, an inspector may enter the unit upon authorization or as soon as practicable thereafter.
- On page 13, Under (c) Carbon Monoxide Detectors (iv), the wording is changed to indicate that the requirement would pertain to an enclosed garage which is attached to the short-term rental unit. a Carbon Monoxide Detector would not be needed for a well-ventilated structure such as an open garage/carport.
- On page 17, Under (4) Violations located in (9) in Violations Defined, the two hours notification has been deleted and Subsection 5.20.30(b)(1)(g) is referenced for any failure to respond to certain situations.
- On page 18, Under (4) Violations, item (b) Administration and Enforcement has been added to explain that the Town Administrator is vested with the authority to administer and enforce the provisions of this section. This item describes situations that can result in an ordinance summons being issued. The goal is to get the person notified to comply with the ordinance and a summons would only be issued after the notified party is given one or more opportunities to correct the issue. The Zoning Administrator can designate someone, including inspectors and code enforcement officers of the Town, to act on his/her behalf.
- On page 18, Under (4) Violations, wording has been changed in (c) Penalties to indicate that anyone found guilty of violating a provision of this section shall be subject to penalties and fines specified in Article 18.
- On page 24, The permit fee for a short-term rental is included in the Fee Schedule and is included in Ordinance 2020-15. Town Administrator Cronin added that, if second reading for Ordinance 2020-14 is deferred but Ordinance 2020-15 has second reading, there would be no need to include any short-term rental fees, such as permits, modifications, reinstatements, etc., unless or until, Ordinance 2020-14 has second

reading. The Fee Schedule has been further amended to have “Reserved” by the short-term rental fees. When Ordinance 2020-14 is approved for second reading, “Reserved” will be removed and will implement the fee amount with this ordinance, if adopted.

Councilwoman Finke commented that Councilman Goldstein had concerns about the fire extinguisher and smoke alarm requirements and she will contact Chief Walz at the St. Johns Fire District for clarification.

The vote to approve the amendment, a substitute in its entirety, for Ordinance 2020-14, was unanimous. Mayor Gregg asked for comments or discussion on the amended ordinance. Councilwoman Finke made a motion to defer further consideration and the final vote on second reading for Ordinance 2020-14 to the December 15 Town Council meeting and to have a Public Hearing occur prior to the date of the Town Council meeting. Councilwoman Finke stated that the Town Administrator is trying to determine a way that people could offer comments in real time. The FAQ sheet and the amended ordinance will be posted on the website very quickly and the public portal will be open to receive comments. Councilwoman Fox seconded the motion and the vote to approve was unanimous.

- **Ordinance 2020-15:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; so as to amend the fee schedule for various application and service fees. Councilman Crane made a motion to approve Ordinance 2020-15 as presented. Councilwoman Finke seconded the motion. Town Administrator Cronin explained that the fee schedule for short-term rental permits, modifications and reinstatements are being removed for the time being and those spaces will be marked “Reserved”. Also, since a motion was made earlier in the meeting to remove the fee for Street Renaming, under 2. Planning Commission, item (e) should be deleted. Councilman Crane made a motion to remove the short-term rental fees and replace with “Reserved” and delete the application fee for Street Name Changes. Councilwoman Fox seconded the motion and the vote to approve the amendment was unanimous. Councilman Crane made a motion to approve Ordinance 2020-15 as amended on second reading. Councilwoman Finke seconded the motion and the vote to approve was unanimous.
- **Ordinance 2020-16:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; so as to amend the term of office for the Mayor and members of Town Council; so as to amend the general powers of the Mayor and Town Council; so as to amend the emergency powers of the Mayor; so as to clarify the role of the Mayor Pro Tempore; and other matters related thereto; and Chapter 12, Elections; so as to amend the commencement date for the terms of office for the Mayor and members of Town Council. Councilman Crane made a motion to approve Ordinance 2020-16 on second reading as presented. Councilwoman Finke seconded the motion and the vote to approve was unanimous.

Ordinances for First Reading:

- **Ordinance 2020-17:** An ordinance amending the Zoning Map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-010, containing approximately 0.25 +/- acres located at 2726 Old Forest Drive, from the SR Single-Family Residential District to the AGC Agricultural-Conservation District. Councilman Crane made a motion to approve Ordinance 2020-17 on first reading as presented. Councilman Finke seconded the motion and the vote to approve was unanimous. Councilman Crane had a concern about the possibility of the lots that are rezoned and turned over to SIPOA being kept clean. Councilwoman Finke added that, when the property is

transferred to SIPOA, there is an encumbrance on the deed, and the lot is to be left natural; but, if needed, SIPOA can ask for relief under the encumbrance. Greenspace also inspects the rezoned properties twice a year to make sure there are no fire hazards or trees threatening a neighboring property.

- **Ordinance 2020-18:** An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, Definitions and Interpretation of Terms; Section 2.10, Definitions; so as to add definitions for “base flood elevation (BFE),” “Design Flood Elevation (DFE),” and “Freeboard,” and to amend the definitions for “Building Height” and “Flood Hazard District”; and Article 7, Lot and Building Requirements; Section 7.90, Height Limitations; so as to amend the maximum height requirement for structures within the town. Councilman Crane made a motion to approve Ordinance 2020-18 on first reading as presented. Councilwoman Finke seconded the motion. Town Administrator Cronin explained that this ordinance is a temporary provision as the Town transitions to new FEMA flood maps that will go into effect January 29, 2021. Because the flood elevation on so many properties on Seabrook Island will be lower with the new maps, if a property’s old flood elevation was higher, for the purpose of determining building height, we would allow the current requirement to be used through July 31, 2021. By that time, our new Development Standards Ordinance, which will have a permanent solution, should be adopted. The vote to approve was unanimous.
- **Ordinance 2020-19:** An ordinance to adopt a budget for the Town of Seabrook Island, South Carolina, for the Fiscal Year beginning January 1, 2021, and ending December 31, 2021. Councilman Crane made a motion to approve Ordinance 2020-19 on first reading as presented. Councilman Goldstein seconded the motion and the vote to approve was unanimous.

Miscellaneous Business: Town Administrator Cronin asked if Charleston County is still having the pandemic conference calls as he was curious what kind of trends they were seeing in our area. The Mayor commented that the calls were still taking place but the update from Charleston County Emergency Management Division is very brief and mostly the reporting from the various agency partners is “no update.” Councilwoman Finke commented that the next call would be November 25.

Citizens Comments: Comments on the various ordinances being considered were reported at the Public Hearing by the Town Administrator and the Town Clerk.

With there being no further business, the meeting was adjourned at 5:20 p.m.

Date: December 15, 2020



Town Clerk