

TOWN OF SEABROOK ISLAND

DSO Advisory Committee Meeting

August 1, 2019 – 2:30 PM

Town Hall, Council Chambers
2001 Seabrook Island Road



MINUTES

Present: Gary Quigley (Vice Chair), Wayne Billian, Katrina Burrell, Robert Driscoll, Ava Kleinman, Walter Sewell, Roger Steel, Ed Williams, Joe Cronin (Town Administrator)

Absent: Skip Crane (Chair)

Guests: Mayor Ron Ciancio, Paul LeBlanc (PLB Planning Group)

Vice Chairman Quigley called the meeting of the DSO Advisory Committee to order at 2:35 PM. Town Administrator Cronin confirmed that the requirements of the Freedom of Information Act were fulfilled, and the meeting agenda was properly posted.

APPROVAL OF MINUTES

1. **DSO Advisory Committee Meeting: May 16, 2019:** Mr. Steel made a motion to approve the minutes from the May 16, 2019 meeting. Mr. Williams seconded the motion. The motion was approved by a vote of 8-0.

INTRODUCTION

Town Administrator Cronin introduced committee members Walter Sewell and Wayne Billian, both of whom were unable to attend the kick-off meeting on May 16, 2019.

ITEMS FOR DISCUSSION

1. **Review and Discussion of DSO Blueprint:** Paul LeBlanc of PLB Planning Group presented an overview of his “technical audit” of the town’s existing DSO, as well as a “blueprint” for the proposed re-write. Mr. LeBlanc began his presentation by reviewing the main purposes of zoning and land development ordinances, including:
 - Protecting health, safety and public welfare;
 - Balancing community goals with private property rights;
 - Protecting property values;
 - Ensuring reasonable use of property; and
 - Implementing the vision and recommendations of the town’s Comprehensive Plan.

He then explained that the difference between the Comprehensive Plan and Zoning (DSO) is that the Comprehensive Plan is a policy document, or a “long-range vision,” that has been adopted by Council; whereas a zoning ordinance has the force of law and is used to implement the recommendations of the Comprehensive Plan. The town can deviate from the Comprehensive Plan, but it should not be easy to deviate from the DSO since it is the law.

Mr. LeBlanc explained the reasons for rewriting the town’s DSO. He stated that the DSO should:

- Be tailored specifically to Seabrook Island;
- Support the town’s new Comprehensive Plan;
- Reflect existing conditions and, where possible, reduce the number non-conformities;
- Remove barriers to owners making improvements to their properties; and
- Be simple to read and more user-friendly.

Mr. LeBlanc commented that he had met with many stakeholder on his last visit to Seabrook Island in order to learn about their concerns. Among the stakeholder’s concerns were:

- Flooding protection;
- Setbacks;
- Flexibility;
- Permitting requirements and procedures;
- Confusion among various layers of authority (Town, SIPOA and Regimes);
- Cumbersome review procedures;
- Differentiating between maintenance and improvements;
- Simplicity and understandability of requirements;
- The presence of a large number of non-conformities due to changes in the zoning ordinances over the years.

Mr. LeBlanc stated that more than 30 pages in the DSO Blueprint deal with an audit of the current DSO regulations and his comments are divided into three categories: Housekeeping, Significant Changes and Policy Changes. The comments that are considered “Housekeeping” are things that do not need debate or decisions by the DSO Advisory Committee or Town Council. The DSO Advisory Committee will spend time on the comments that are considered “Significant Changes” and “Policy Changes” and then make recommendations to Town Council in the form of a draft ordinance.

Some issues considered “Policy Changes” to be decided by Town Council would include:

- District Structure – Mr. LeBlanc stated that Council would have to decide if they wanted to maintain the existing zoning district structure, which is essentially Planned Development, or change to a more conventional zoning district structure. Mr. LeBlanc recommended that it be changed to a more conventional zoning district structure since a PD is a good zoning tool, but it is rarely used for the entire island as has been done at Seabrook Island. Town Administrator Cronin commented that there is currently a Master PUD that the County had before the town incorporated for all of

Seabrook Island; but, since incorporation, there are separate PD's for Camp St. Christopher, Bohicket Marina Village, Jenkins Point, Ocean Forest, Bohicket Creek Place, St. Christopher Oaks and the Village at Seabrook. Each of these have different requirements, which do not necessarily agree with the requirements of the DSO. If Council wishes to change the zoning structure, new requirements can be written for each of the districts. If Council does not eliminate the PD Districts, the existing PD's should all be updated individually and that work, which would be quite expensive and time consuming, would not be included in PLB Planning Group's current contract.

- Density/Minimum Lot Size – Currently, the minimum size for new lots is one acre, whereas a “conforming” lot is considered 17,500 sq. ft.
- New Multi-Family Development – Currently, no new multi-family development is permitted. Mr. LeBlanc remarked that, considering the broad definition of multi-family in the DSO, is that what the town wants going forward?
- Time Share vs. Rental – The Town Administrator commented that the DSO basically has no regulations relating to rental property; and, if this is changed, it will be a major policy decision.
- Buffering – Mr. LeBlanc commented that typically buffering is a landscape separation between dissimilar uses, but the town's DSO requires buffering between similar uses, such as between two commercial buildings.
- Delegation – Mr. LeBlanc stated that, if any decision making is delegated, there should be definite criteria to be followed. Town Administrator Cronin remarked that minor things that have previously been considered by the Planning Commission could be handled by staff and some things that are currently delegated to the Planning Commission are against State law.

Mr. LeBlanc stated that the newly adopted Seabrook Island Comprehensive Plan recommends changing the zoning from Planned Developments to more conventional zoning districts, but he would need affirmation that this is the direction that Council would like for him to follow. No matter what the zoning, whatever is done should be based on existing conditions that are in place now so as to reduce the number of existing non-conformities.

The format of the current DSO is not easily readable. Mr. LeBlanc recommended using the format that he has included in the DSO Blueprint and suggested using tables and graphics, which usually makes things easier to understand. The graphics will not be included in the initial draft but will be in the second draft, as well as subsequent drafts, of the ordinance.

Members of the committee discussed and provided feedback on a number of items highlighted in Mr. LeBlanc's presentation.

2. **Project Timeline and Meeting Schedule:** Mr. LeBlanc stated that the next step is to continue drafting the ordinance and work with the DSO Advisory Committee on updates and revisions. Mr. LeBlanc stated that the committee will hold at least five meetings to review and provide feedback on draft sections of the ordinance. Related chapters of the initial draft will be presented to the DSO Advisory Committee for their review and comment before the second draft ordinance is prepared in order to elicit comments from Council, Planning Commission, stakeholders and the general public. Input regarding the second draft will be actively solicited

in a manner that will be decided by the town. After the comments received from the public are discussed with Council and the Planning Commission, it will be decided if final revisions or edits should be made. Once the final edits are made, a final draft version of the ordinance will be prepared and submitted for public hearing and adoption. Town Administrator Cronin noted that the project timeline is subject to change based on the speed with which the committee moves through the draft updates. He stated that it was more important for the ordinance to be done right rather than done quickly.

ADJOURN

There being no further business, the meeting was adjourned at 4:53 PM.

Minutes Approved: October 16, 2019



Joseph M. Cronin
Town Administrator