

# TOWN OF SEABROOK ISLAND

DSO Advisory Committee Meeting

August 13, 2020 – 2:00 PM

Virtual Meeting (Zoom)

[Watch Live Stream \(YouTube\)](#)



## AGENDA

### CALL TO ORDER

### APPROVAL OF MINUTES

#### 1. DSO Advisory Committee Meeting:

- July 30, 2020

[Pages 2-3]

### ITEMS FOR DISCUSSION

#### 1. Review and Discussion of Draft DSO Articles:

- Article 17: Subdivision: Design Requirements

[Pages 4-10]

### ADJOURN

#### **About the DSO Advisory Committee**

*On March 26, 2019, the Seabrook Island Town Council approved a contract with PLB Planning Group for the purpose of completing a comprehensive update of the town's Development Standards Ordinance (DSO). The DSO Advisory Committee was appointed on April 23, 2019 and includes ten members: one member from Seabrook Island Town Council, two members from the Board of Zoning Appeals, two members from the Planning Commission, four residents of the town, and one staff representative from the Seabrook Island Property Owners Association. The committee will be tasked with providing input, guidance and feedback to town staff and the consultant during the development of a new DSO. The committee's recommendations will be submitted to Town Council in late 2020.*

# TOWN OF SEABROOK ISLAND

## DSO Advisory Committee Meeting

July 30, 2020 – 2:00 PM

Virtual Meeting Hosted via Zoom

[Live Streamed on YouTube](#)



## MINUTES

Present: Skip Crane (Chair), Wayne Billian, Katrina Burrell, Bob Driscoll, Ava Kleinman, Gary Quigley, Roger Steel, Ed Williams, Joe Cronin (Town Administrator)

Absent: Walter Sewell

Guests: John Gregg (Mayor), Paul LeBlanc (PLB Planning Group)

Chairman Crane called the meeting of the DSO Advisory Committee to order at 2:00 PM. Chairman Crane 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: July 6, 2020:** Mr. Quigley made a motion to approve the minutes from the July 6, 2020 meeting. Mr. Williams seconded the motion. The motion was **APPROVED** by a vote of 7-0.

Ms. Burrell joined the meeting at 2:03 pm.

### ITEMS FOR DISCUSSION

1. **Update on Policy Matters Referred to Town Council:** Chairman Crane provided an update to committee members on two matters which the committee had previously referred to Town Council for policy guidance. Chairman Crane stated that Town Council expressed support for allowing LED signs in limited circumstances, and for continuing to allow "For Sale/Lease" signs on properties that are being offered for sale or lease.
2. **Review and Discussion of Draft DSO Articles:** Paul LeBlanc of PLB Planning Group provided a summary of the proposed language for the following article:

- Article 16: Subdivision: Purpose & Procedures

Committee members reviewed, discussed and provided feedback on the proposed language for Article 16. A detailed discussion took place regarding requirements for the review and approval of exempt subdivisions; the creation of a new category of subdivisions called "minor

subdivisions” which contain 10 or fewer lots and no new rights-of-way; notification and hearing requirements for subdivision plats; submittal requirements for preliminary and final plats; and the impact of a state of emergency on the required 60-day timeline for review and approval of subdivision plats.

Mr. LeBlanc will incorporate the committee’s recommendations into an updated version of Articles 16.

**ADJOURN**

There being no further business, Mr. Williams made a motion to adjourn the meeting. Mr. Steel seconded the motion. The motion was **APPROVED** by a vote of 8-0 and the meeting was adjourned at 4:07 PM.

Minutes Approved:



Joseph M. Cronin  
Town Administrator

**Subdivision: Design Requirements**

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**Article  
17**

DRAFT

**Seabrook Island Development Standards Ordinance**

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### **Section 17.1 Purpose**

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The regulations in this article are intended to provide for the harmonious development and a consistent standard of quality within the Town of Seabrook Island. The objectives are to secure a coordinated street layout and efficient transportation network; to protect residential areas from through traffic and related hazards; to ensure proper street intersection design; to achieve individual lots of maximum utility; to secure adequate provision of light, air, water supply, drainage, and sanitary sewer facilities; to facilitate adequate provision of transportation, recreational areas, and other public services and facilities; to provide accurate land records and boundary identification for the convenience and protection of the public; and to ensure the proper recording of survey data prior to selling land.

### **Section 17.2 Design Standards**

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- A. **Minimum Requirements.** The following design standards shall be considered minimum requirements; however, higher standards are to be encouraged in subdivision design.
- B. **Blocks.** The lengths, widths, and shapes of blocks shall be determined with regard to:
1. Provision of adequate building sites suitable to the special needs of the type of use (residential, commercial, community facilities, other) contemplated.
  2. Zoning requirements as to lot sizes and dimensions.
  3. Needs for convenient access, circulation, control, and safety of street traffic.
  4. Limitations and opportunities of topography and drainage features.
- C. **Lots.** The size and width of lots shall be as required by the applicable zoning district regulations and sufficient with respect to depth, shape, and orientation to accommodate reasonable development within required building setback lines and in relation to existing natural features.
1. **Orientation.** All quadrangle lots, and so far as practical all other lots, should have side lines at right angles to straight street lines or radial to curved street lines.
  2. **Depths.** Depth of residential lots shall not exceed two and one-half (2½) times the width, except in the case of attached or multiple-family dwellings or in cases where portions in excess of that depth are for the purpose of providing separation from major streets, non-access reservations, easements, or marshes. The depth-to-width ratio shall not apply in cases where the width of a lot exceeds 300 feet for its entire depth.
  3. **Clear Vision Corners.** Corner lots shall have extra widths where necessary to permit the establishment of clear vision corners, per *Section 2.4A*.
  4. **Double Frontage (Through Lots).** Double frontage lots shall not be permitted, except where essential to provide separation of residential development from a collector street. In such case, an easement of at least 10 feet in width, across which there shall be no right of access, shall be required along the lot lines abutting the collector street. No right of access shall be granted except by Planning Commission.
  5. **Access to Streets.** All lots shall have frontage on and be provided access to streets which have been constructed in conformance with the standards and specifications 's in the town's **Road Code**.
    - a. The Planning Commission may approve lots, parcels, or tracts that are accessed from private streets; provided, new streets are constructed in conformance with standards and specifications prescribed in the current version of the town's Road Code.
    - b. Approval of private streets shall be contingent upon a binding provision for continued maintenance of such streets by an "approved" Homeowners' Association or other responsible entity. Such association or entity shall be an organization operating under agreements of public record that have been reviewed and considered legally binding by the

town attorney. This will ensure that the Town of Seabrook Island shall not be liable for any maintenance and upkeep responsibilities. The agreements shall provide for an easement and lien against abutting lots or membership in favor of the association or entity for the continued maintenance of such streets.

6. Area Subject to Flooding. A plat of a proposed subdivision submitted to the planning commission for approval which contains lands subject to flooding shall clearly identify the base flood zone.

**D. Arterial Streets.**

1. *Designation*. That portion of Seabrook Island Road (Road S-1875) lying between the end of Land Fall Way and Kiawah Island Parkway is designated as an arterial street.
2. *Design*. Due to the volume of traffic and purpose which arterial streets are intended to serve, access control is warranted in order to provide and maintain the safe and uncongested flow of vehicles. Such controls may include boulevard design, limits imposed on the number and spacing of individual driveways, and separate turning lanes.
3. *Requirements*. The regulations applicable to that segment of Seabrook Island Road under the jurisdiction of the Town of Seabrook Island are specified in Article 8, Seabrook Island Road Overlay District.
4. *Future Arterial Streets*. As future development occurs, the Planning Commission may designate new arterial streets as defined in this ordinance. Such street(s) shall be subject to the provisions of this article.

**E. Streets.** The layout of streets as to location, character, width, and grade shall conform to adopted town plans, where applicable. Streets shall be designed to afford convenient access to existing or planned street systems and abutting properties, and to minimize the impact upon topography, natural features, and drainage systems.

1. No road improvements shall commence until the zoning administrator shall affix his signature to the original drawing of the plans and profiles, as submitted. All improvements shall conform to that set of signed plans and profiles.
2. Local streets shall be arranged to discourage through traffic. **Discuss.**
3. Where a subdivision abuts or contains an existing or proposed arterial street and where a thoroughfare plan indicates a limited access road, the Planning Commission may require frontage roads or similar marginal access streets, reverse frontage with screen planting, deeper lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
4. Reserve strips or parcels controlling access to streets are prohibited, except where justification is shown by the developer.
5. Off-set street intersections on opposite sides of a street shall be no closer than one hundred twenty-five (125) feet, measured centerline to centerline.
6. A tangent of at least one hundred (100) feet shall be introduced between reverse curves on arterial streets.
7. Streets shall be laid out to avoid acute angles between streets at their intersections, except in the cases of merging streets.
8. Property lines at street intersections shall be rounded with a radius of not less than 15 feet. Larger radii may be required by the Planning Commission when, in its opinion, such design is advisable to permit the construction of curbs of large radius.
9. Street right-of-way widths shall be 50 feet, except arterial street right-of-way shall be no less than 60 feet and the Planning Commission may require up to 100 feet, depending on traffic volumes and geometric design. In all cases, the subdivider shall be required to dedicate the full

width of any required right-of-way to the home owner's association, in the case of private streets, or to the applicable public entity for public streets; provided, the public entity accepts that street dedication.

10. Alleys may be permitted where required to provide for access to off-street parking, loading and unloading, and service areas. Alley design and construction shall conform to the requirements of the Town of Seabrook Island Road Code.
  11. Dead-end streets shall not be permitted, unless the Planning Commission determines that no reasonable alternative is available due to the presence of poor soil conditions, marsh or water features, or other natural impediment. In any case, no dead-end street shall exceed 800 feet in length, measured from the edge of the intersecting street to the end of the pavement at the closed end. The closed end of the street shall be constructed with a turn-around with a diameter of 80 feet or such other configuration approved by the fire district that will accommodate maneuvering of fire apparatus in the event of an emergency. A landscaped island shall be installed in the center of the turn-around.
  12. Streets and intersection approaches shall not be excessive in grade, not be less than three-tenths (3/10) of one (1) percent in the gutter profile. Some deviation from these grades may, however, be permitted by the zoning administrator, in consultation with the county or a consulting engineer, where necessary to adjust to topographical conditions.
  13. The inverted crown sections, with or without adjoining parking, shall only be permitted in multi-family developments and shall be privately maintained. While a portion of this section may be used for parking facilities and/or access from these facilities, they must connect to service or collector streets. All sections shall be constructed in conformance with the current edition of the Road Code.
  14. Street names shall not duplicate or bear a confusing similarity with the names of existing streets. Street names shall be subject to review and approval by the Planning Commission. Where it is determined that duplication or confusion may occur, the Planning Commission shall require the subdivider to substitute names free from duplication or confusion.
  15. Street signs shall be designed and constructed in accordance with the requirements of the Seabrook Island Property Owners Association, unless otherwise specified by the Planning Commission for public streets.
- F. **Utilities.** All utilities shall be installed below ground.
1. **Drainage.**
    - a. The standards set forth in the OCRM "Stormwater Management Guidelines" shall be used in determining stormwater runoff and marsh standards for any project. Existing natural drainage shall be maintained or relocated in conformance with these design standards.
    - b. Drainage requirements for retention and detention must meet OCRM requirements. Calculations and plans showing these requirements shall be prepared and submitted by a professional engineer registered in the State of South Carolina.
    - c. No subdivision shall block or obstruct the natural drainage of an adjoining area.
    - d. Lots less than 200 feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70 percent to an approved swale, ditch, gutter, or other type of approved drainage facility.
    - e. Where an existing ditch is maintained by the Town of Seabrook Island without a drainage easement, the town may improve the ditch to town standards, subject to the availability of personnel and equipment for this work; provided, the property owner grants and dedicates a drainage easement in accordance with the requirements of the town's Road Code.

- f. Where an existing subdivision or developed area has documented flooding or other problems attributable to a poorly performing drainage system and that system is maintained by the Town of Seabrook Island, but is not located within a drainage easement, the town may be requested to undertake necessary improvements. Subject to the availability of personnel and equipment, the town may agree to perform the necessary work; provided, the property owner grants and dedicates a drainage easement in accordance with the requirements of the town Road Code. No such improvements will be made, however, if the required work is to be done by the developer within a reasonable length of time and will correct or considerably improve the drainage situation in the subdivision or development area.
2. Water and Sewer Service.
    - a. The developer shall install public water and public sanitary sewer lines.
    - b. No individual subsurface sewage disposal systems are authorized within the Town of Seabrook Island. Only public or private central sewer systems, meeting the requirements of the South Carolina Department of Health and Environmental Control (SCDHEC), are authorized.
  3. Easements.
    - a. Drainage easements shall be provided and dedicated in accordance with the requirements of the current edition of the Town of Seabrook Island Road Code.
    - b. Easements for drainage or sewer along rear and side property lines may be required where deemed necessary by the town. Drainage easements shall not be allowed to traverse lots except as provided in this article. Redesign of the lot arrangement may be required to meet extreme drainage conditions.
    - c. Easements shall center along or be adjacent to a common property line where practical.
    - d. All easements for drainage or sewer shall be cleared of undergrowth, trees, and other obstructions by the developer prior to final approval. This shall not apply to easements provided for possible future use.
  4. Electrical and Telephone Service. Electrical and telephone wires shall be placed underground on the interior of the development site, unless otherwise permitted by the Planning Commission.
  5. Fire Hydrants. In accordance with the adopted fire code, fire hydrants shall be installed along all subdivision streets. Fire hydrants shall also be installed along those perimeter streets abutting the subdivision and with which any subdivision street intersects. Spacing between hydrants along the perimeter street(s) shall be as required by the fire district.

### **Section 17.3 Required Improvements.**

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#### **A. Monuments.**

1. A monument shall be set on the right-of-way line at the ends of the block for every block length of street. When blocks occur that have a curve or curves in them, markers shall be set on both sides of the street at the ends of tangents. Monuments shall also be set on right-of-way line (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.
2. Monuments shall be one of the following:
  - a. A reinforced concrete monument with a brass or copper pin in the top. Concrete monuments shall be a minimum of three (3) feet long and have a minimum cross-

dimensional area of nine (9) square inches. They shall protrude above the ground not less than two (2) inches and not more than six (6) inches.

- b. An iron pipe or pins having a minimum diameter or three-fourths ( $\frac{3}{4}$ ) inches hollow or one-half ( $\frac{1}{2}$ ) inches solid steel. Such iron pins will be a minimum of two (2) feet in length and shall extend above the ground at least one (1) inch.
  - i. Monuments shall be installed prior to the submission of and approval of the final plat.
  - ii. The location and type of all monuments used shall be indicated on the final plat.

**B. Maintenance.** Unless otherwise specified, the town shall maintain only those easements and public improvements specifically accepted for town maintenance. Covenants shall stipulate that contiguous owners shall be responsible for general maintenance of other easements and improvements. Duly appointed officials of the Town of Seabrook Island or utility company with lines in such easements shall have full right of access. **This entire Maintenance subsection should be discussed re: Town policy.**

1. Maintenance of drainage systems by a public entity, as applicable, shall be limited to that work necessary to ensure the proper flow of water within the structure. This work includes repairs to damaged pipes and removal of sedimentation and vegetation that impedes the proper flow of water within a structure as determined by the town zoning and building officials. The cutting of vegetation and removal of foreign material from areas around the drainage structures, that are part of the overall drainage plan of a land development project, as required by this ordinance and/or duly accepted by **Town Council**, is the responsibility of the owners of the property on which the drainage structure is located.
2. A guarantee for the maintenance of the improvements prior to final acceptance by the town shall be posted for that period between completion and acceptance in an amount **established by Town Council**, but not to exceed 25 percent of the improvement cost.
3. The applicant shall make such adequate provisions, as required by the Planning Commission, for the perpetual maintenance of all required improvements (private roads, pedestrian paths and bikeways, drainage facilities, and any such other improvements) in the development until such obligations have been assumed by another entity. Such maintenance agreement shall be in the form of:
  - a. perpetual maintenance agreement;
  - b. homeowner's association;
  - c. landowner's agreement; and/or
  - d. creation by developer of a performance bond or other form of security, as determined appropriate by the Planning Commission.
4. Where maintenance of the required improvements is being assumed by another entity, the developer must submit documents demonstrating that such entity shall assume the responsibility for providing services to maintain these facilities otherwise provided by the Town of Seabrook Island. Such entity shall be:
  - a. organized for the purposes of, but not limited to, operation and maintenance of roads, pedestrian paths and bikeways, drainage facilities, and common open space that will NOT be dedicated to the town, and
  - b. duly chartered by the State of South Carolina and recorded with the Town of Seabrook Island Clerk of Court.
5. If at any time, the association desires public maintenance of any facilities, those facilities shall first be determined to meet town standards. Town Council shall be under no obligation to accept responsibility for any such facilities.

## **Section 17.4                      Modifications**

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### **A. Modifications and Waivers.**

1. Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual environmental conditions that the strict application of the requirements contained in the subdivision regulations would result in substantial hardship or inequity, the planning commission may modify or waive, except as otherwise indicated, requirements of design, but not of procedure or improvements, so the subdivider may develop the property in a reasonable manner. However, at the same time, the public welfare shall be protected; and the general intent and spirit of this ordinance shall be preserved. Such modification or waiver may be granted upon written request of the subdivider stating the reasons for each modification or waiver and may only be granted by an affirmative vote of two-thirds (2/3) of the membership of the planning commission.
2. Modification or waiver of any other spatial, dimensional, or zoning requirement of the zoning district in which the subject property is located or of this ordinance may only be considered by the Board of Zoning Appeals.
3. A “substantial hardship” shall not include financial hardships.

### **B. Criteria.**

1. General Criteria. The applicant shall submit a petition stating clearly and definitely the reason for a proposed modification or waiver of any subdivision requirement. Consideration shall be given to the following factors:
  - a. Unique conditions that justify altering the requirements due to their effect on the property involved and are not generally shared by other properties in the town;
  - b. Undue hardships that will result from adherence to the subdivision requirements;
  - c. Modifications or waivers granted would not be detrimental to adjacent property or to the public health, safety, general welfare, and interest.
2. Criteria in Specific Situations.
  - a. The proposed development meets all dimensional requirements for individual lots in accordance with the zoning district in which they are located.
  - b. Required site and soil evaluation may be waived when parcels of land of five (5) or more acres are being created for purposes other than building lots or tracts. Plats so presented must be captioned accordingly and shall be required to conform to all remaining requirements of this article. The stamp of approval will denote that Health Department approval is not included.

## **Section 17.5                      Appeals**

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- A. Staff action to approve or disapprove a land development plan may be appealed to the planning commission by any party in interest. The planning commission must act on the appeal within 60 days, and the action of the planning commission is final.
- B. An appeal from the decision of the planning commission must be taken to the circuit court within 30 days after actual notice of the decision.