



## MEMORANDUM

**TO:** Mayor Gregg & Members of Town Council  
**FROM:** Joseph M. Cronin, Town Administrator  
**SUBJECT:** Text Amendment (Building Heights)  
**MEETING DATE:** May 25, 2021

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Council is asked to review and approve a proposed amendment to Sec. 21.20 (Fee Schedule) of the Development Standards Ordinance (DSO).

When the town's fee schedule was last amended in the fall of 2020, the following provision was included:

(A)(11) A "Post Facto Surcharge" equal to 100% of the permit amount shall be assessed in instances where work has commenced prior to obtaining a required permit. This surcharge shall be in addition to any other fines penalties which may be assessed, if applicable.

In December of 2020, town council also imposed an annual \$250.00 permit fee for short-term rental permits.

Based on the wording of the current ordinance, if a rental unit is advertised or rented after March 31<sup>st</sup>, the \$250.00 permit fee must be doubled to \$500.00. It was the opinion of town council and staff that doubling the permit fee was excessive. Therefore, the proposed amendment would create a "late fee" of \$100.00 for late short-term rental permits, rather than doubling the fee to \$500.00.

### Staff Recommendation

Staff recommends in favor of **APPROVAL** of the proposed text amendment.

### Planning Commission Recommendation

The Planning Commission reviewed the rezoning request during its regularly scheduled meeting on May 12, 2021. By a vote of 5-0, the Planning Commission recommended in favor of **APPROVAL** of the text amendment.

Respectfully submitted,

Joseph M. Cronin, Town Administrator

**TOWN OF SEABROOK ISLAND**

**ORDINANCE NO. 2021-04**

**ADOPTED \_\_\_\_\_**

**AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS ORDINANCE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; ARTICLE 21, FEES; SECTION 21.20, FEE SCHEDULE; SO AS TO AMEND THE FEE SCHEDULE FOR SHORT-TERM RENTAL PERMITS**

**WHEREAS**, Article 21 of the Development Standards Ordinance for the Town of Seabrook Island (hereafter, the “DSO”) establishes a schedule of fees (hereafter, the “Fee Schedule”) for various activities which are subject to prior review and approval by the Town pursuant to the requirements of the DSO; and

**WHEREAS**, the Mayor and Council for the Town of Seabrook Island desire to amend the Fee Schedule so as to charge a \$100.00 late fee for Short-Term Rental Permits received after the deadline in lieu of a \$250.00 post factor permit surcharge; and

**WHEREAS**, the Mayor and Council for the Town of Seabrook Island believe that amending the Fee Schedule is in the best interest of the town and will provide for efficient and effective administration and enforcement of the requirements contained within the DSO;

**NOW, THEREFORE**, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

**SECTION 1. Amending Article 21 of the DSO.** The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 21, Fees; Section 21.20, Fee Schedule; is hereby amended to read as follows:

**Sec. 21.20. Fee Schedule.**

The Fee Schedule attached hereto as “Attachment A” and dated May 25, 2021, is hereby adopted by reference as if fully set forth in this section. Council may amend the Fee Schedule from time-to-time by ordinance.

**SECTION 2. Severability.**

If any part of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of

persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

**SECTION 3. Conflicting Ordinances Repealed.**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 4. Effective Date.**

This ordinance shall be effective from and after the date of adoption.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2021, having been duly adopted by the Town Council for the Town of Seabrook Island on the \_\_\_\_ day of \_\_\_\_\_, 2021.

First Reading: April 27, 2021  
Public Hearing: May 25, 2021  
Second Reading: May 25, 2021

TOWN OF SEABROOK ISLAND

\_\_\_\_\_  
John Gregg, Mayor

ATTEST

\_\_\_\_\_  
Faye Allbritton, Town Clerk

**ATTACHMENT A**

Fee Schedule

Service	Fee Amount
<b>A. Zoning Permit Fees (Including Site Plan Review)</b>	
<b>1. Residential Zoning Permit: Single-Family &amp; Duplex</b>	
a. New Construction	\$200.00
b. Addition	\$150.00
c. Major Renovation (> 50% Fair Market Value)	\$200.00
d. Minor Renovation (≤ 50% Fair Market Value)	\$25.00
e. Minor Repairs & Maintenance	No Charge
<b>2. Residential Zoning Permit: Multi-Family</b>	
a. New Construction	\$350.00
b. Addition	\$250.00
c. Major Renovation (> 50% Fair Market Value)	
i. Administrative Review Only	\$250.00
ii. Planning Commission Review	\$350.00
d. Minor Renovation (≤ 50% Fair Market Value)	
i. Administrative Review Only	\$25.00
ii. Planning Commission Review	\$150.00
e. Minor Repairs & Maintenance	No Charge
<b>3. Non-Residential Zoning Permit</b>	
a. New Construction	\$350.00
b. Addition	\$250.00
c. Major Renovation (> 50% Fair Market Value)	
i. Administrative Review Only	\$250.00
ii. Planning Commission Review	\$350.00
d. Minor Renovation/Upfit (≤ 50% Fair Market Value)	
i. Administrative Review Only	\$25.00
ii. Planning Commission Review	\$150.00
e. Minor Repairs & Maintenance	No Charge
f. Communication Towers and Antennae	
i. New Communications Tower	\$1,000.00
ii. Antenna Installation	\$150.00
<b>4. Accessory Use / Structure Permit</b>	
a. HVAC equipment and associated stands; generator equipment and associated stands; uncovered decks, patios and steps; boardwalks and docks; driveways and walkways; swimming pools and spas; fire pits; retaining walls; fences; propane tanks; and similar structures.	\$50.00
<b>5. Change of Use / Occupancy Permit</b>	
a. Change of Use / Occupancy Classification	\$50.00
<b>6. Home Occupation Permit</b>	
a. Home Occupation	\$25.00
<b>7. Short-Term Rental Permit</b>	
a. Short-Term Rental Permit – New	\$250.00
b. Short-Term Rental Permit – Renewal	\$250.00
c. Modification of Existing Short-Term Rental Permit	
i. Change of Owner, Agent or Local Contact	\$25.00
ii. All Other Modifications	<del>\$100</del> 25.00
d. Reinstatement of Suspended Short-Term Rental Permit	\$125.00
e. <u>Late Application Fee (Received After Deadline)</u>	<u>\$100.00</u>

<b>8. Temporary Use Permit</b>	
a. Events & Activities ≤ 3 Days in Duration	\$35.00
b. Events & Activities > 3 Days in Duration	\$100.00
<b>9. Sign Permit</b>	
a. Freestanding Sign	\$20.00 + \$1.00 Per Sq. Foot
b. Building Sign (Awning, Door, Wall, Window, etc.)	\$20.00
c. Reface or Repair of Existing Sign	\$20.00
d. Temporary Sign	\$10.00
<b>10. Tree Removal Permit</b>	
a. Trees < 12" DBH	No Permit Required
b. Trees ≥ 12" DBH & Subject to ARC Approval	No Permit Required
c. Trees ≥ 12" DBH	No Charge
<b>11. Post Facto Surcharge</b>	
A "Post Facto Surcharge" equal to 100% of the permit amount shall be assessed in instances where work has commenced prior to obtaining a required permit. This surcharge shall be in addition to any other fines penalties which may be assessed, if applicable. <u>The surcharge shall not apply to Short-Term Rental Permits which are subject to the Late Application Fee.</u>	
<b>B. Building Permit &amp; Inspection Fees</b>	
<b>1. Building Permits &amp; Inspections (Charleston County)</b>	
Pursuant to Section 6-2 of the Town Code, all fees imposed by Charleston County for permitting and inspection services are adopted by reference and shall be paid directly to the County.	
<b>C. Subdivision Plat Review &amp; Recording Fees</b>	
<b>1. Plat Review Fees</b>	
a. Exempt Plat	\$50.00
b. Preliminary Plat	
i. Minor Subdivision (≤ 10 Lots)	\$300.00
ii. Major Subdivision (> 10 Lots)	\$300.00 + \$10.00 Per Lot
c. Final Plat	
i. Minor Subdivision (≤ 10 Lots)	\$150.00
ii. Major Subdivision (> 10 Lots)	\$150.00 + \$10.00 Per Lot
<b>2. Recording Fees</b>	
a. Plat Recording Fee	\$100.00 + \$25.00 Per Page
<b>D. Boundary, Map &amp; Text Amendment Fees</b>	
<b>1. Boundary Amendments</b>	
a. Application for Annexation	
i. Standard Zoning Designation	\$250.00
ii. Conservation Zoning Designation	\$100.00
iii. PDD, PUD & Mixed-Use Zoning Designation	\$1,250.00 + \$10.00 Per Acre
<b>2. Map Amendments (Rezoning)</b>	
a. Application for Rezoning	
i. Standard Rezoning	\$250.00
ii. Conservation Rezoning	No Charge
iii. PDD, PUD & Mixed-Use Rezoning	\$1,000.00 + \$10.00 Per Acre
<b>3. Text Amendments</b>	
a. Application for DSO Text Amendment	\$250.00
b. Application for Comprehensive Plan Amendment	\$250.00
<b>E. Board &amp; Commission Review Fees</b>	
<b>1. Board of Zoning Appeals</b>	
a. Application for Appeal of Administrative Decision	\$150.00

b. Application for Special Exception	\$300.00
c. Application for Variance	\$300.00
<b>2. Planning Commission</b>	
a. Application for Address Change	\$25.00
b. Application for Appeal of Administrative Decision	\$150.00
c. Application for Encroachment Permit (Curb Cut)	
i. New Curb Cut	\$500.00
ii. Modification of Existing Curb Cut	\$250.00
d. Application for Lot Variance	\$150.00
e. Application for Street Name Change	\$150.00 + \$25.00 Per Address
<b>F. Other Services</b>	
<b>1. Copies (Printed)</b>	
a. Comprehensive Plan	\$25.00
b. Development Standards Ordinance	\$25.00
c. Zoning Map (Large Copy)	\$25.00
d. Black & White Copies	
i. 8.5 inches x 11 inches	\$0.10 Per Page
ii. 11 inches x 17 inches	\$0.20 Per Page
e. Color Copies	
i. 8.5 inches x 11 inches	\$0.25 Per Page
ii. 11 inches x 17 inches	\$0.50 Per Page
<b>2. Field Verification Fee</b>	
a. At the Zoning Administrator's discretion, a field verification fee may be charged in lieu of submitting a property survey in instances when the Zoning Administrator reasonably believes that compliance may be determined by field verification.	\$75.00
<b>3. Outside Professional Services &amp; Consultants</b>	
a. The Zoning Administrator may engage outside professional service providers and consultants (such as architects, attorneys, engineers and other professionals) when such services are deemed necessary to review or evaluate an application or request.	Actual Cost + 10% Administrative Fee
<b>4. Verification Letters</b>	
a. Flood Zone Verification Letter	\$20.00
b. Zoning District Verification Letter	\$20.00