



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development Department

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The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, December 3, 2018, in County Council Chambers, Beaufort County Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman	Dr. Caroline Fermin	Ms. Cecily McMillan
Mr. Randolph Stewart, Vice Chairman	Ms. Diane Chmelik	Mr. Kevin Hennelly
Mr. Jason Hinch	Mr. Ed Pappas	

Members Absent: Mr. Harold Mitchell

Staff Present:

Mr. Eric Greenway, Community Development Director
Mr. Robert Merchant, Assistant Community Development Director
Ms. Melissa Peagler, Long-range Planner
Ms. Diane McMaster, Senior Administrative Specialist

CALL TO ORDER: Chairman Robert Semmler called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE: Mr. Semmler led those assembled in Council Chambers with the pledge of allegiance to the flag of the United States of America and requested a moment of silence for the passing of former President George H.W. Bush.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the November 5, 2018, minutes. Ms. McMillan requested that "Southern" be changed to "Northern" when describing the requested St. Helena street name change (Pea Patch Road). **Motion:** Dr. Caroline Fermin made a motion, and Ms. Diane Chmelik seconded the motion, **to accept the minutes, noting the one requested correction on page 1, first item for discussion.** The motion carried (**FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Hinch, and Pappas; ABSENT: Mitchell**).

CHAIRMAN'S REPORT: Clemson is ranked #2 in the nation. Go Tigers!

PUBLIC COMMENT ON NON-AGENDA ITEMS: None were received.

OLD BUSINESS:

- DISCUSSION / TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / SHORT TERM RENTALS: ARTICLE 3, SECTION 3.1.60 (CONSOLIDATED USE TABLE) AND 3.1.70 (LAND USE DEFINITIONS); ARTICLE 4, SECTION 4.1.360 (SPECIFIC TO USE) TO ADD NEW USES CALLED LIMITED HOME RENTAL AND EXTENDED HOME RENTAL

The Short-term rentals Amendment is a carryover from the Commission's November 5, 2018, meeting. Ms. Melissa Peagler, Community Development Long-range Planner, addressed the following questions from the November 5 meeting:

- Length of stay less than 72 days – avoids 4% vs 6% State-regulated tax assessment

- Length of stay 72–144 days – reduces negative impact on residential neighborhoods
- ADA accessibility requirements in effect for a residence with four (4) or more sleeping units

Mr. Kevin Hennelly shared findings from his recent research regarding scenarios resulting in less rental restrictions:

- Primarily residential property vs true rental property
- Property owner living on premise

Mr. Hennelly also stated that several HOA's within the County allow only one (1) non-family member resident per household.

Mr. Eric Greenway explained that the Short-term rental Text Amendment is a staff-submitted item resulting from Beaufort County Council's directive to review and revise existing wording. The Community Development Code addresses short-term rentals, but County Council feels there are strong similarities between the Beaufort and Charleston County rental market environments which warrant revisions to our guidelines. Council is looking for recommendations from the Planning Commission and will move forward with revisions.

Mr. Ed Pappas voiced concern regarding sufficient controls and incentives for residents who may pursue the rental market. Mr. Greenway reiterated the need for an Ordinance which clearly defines what constitutes a short-term rental and provides set procedures and controls. The County Code Enforcement Division would then have clear guidelines when handling compliance issues. Currently, the County looks to the ZBOA for short-term interpretation guidance.

Mr. Jason Hinchler requested clarification regarding the impact on PUD guidelines. Mr. Greenway explained that the more protective/restrictive standard would prevail. The Ordinance will help preserve the balance regarding residential property rights and enhance quality of life.

Mr. Randolph Stewart requested the following be noted in the minutes: Nationally, short-term rentals increase rental stock which in turn, negatively impact (increase) affordable housing pricing.

Under the new Ordinance, individuals marketing short-term rental property would be required to complete a County application, pay an application fee, acquire a business license, pay an accommodation tax, be subject to building inspection, be subject to Fire Marshall inspection, meet ADA requirements, and provide adequate, off-street parking. Those properties presently zoned for bed and breakfast or inn would be affected. Special exception zones "S" would require a public hearing, allowing residents to weigh in on proposed changes.

Any recommendation from the Planning Commission goes to the Natural Resources Committee and then directly to Beaufort County Council. A Natural Resources Committee recommendation on this subject matter would be a separate County Council Agenda item. Community Development Department staff is recommending approval.

A member of the community, Ms. Barbara O'Leary, addressed the Commission stating she is very much in favor of protecting neighbors' rights and maintaining a balance regarding short-term rentals and requested the Commission recommend the revisions.

With no further discussion, Mr. Semmler asked for a Motion. Ms. Cecily McMillan made a Motion to approve Staff's short-term rentals recommendation and Dr. Caroline Fermin seconded the Motion. The Motion carried (**FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Pappas; OPPOSED: Hinchler; ABSENT: Mitchell**)

NEW/OTHER BUSINESS:

- **New Business:** None.
- **Other Business:** The next regularly scheduled Planning Commission meeting will be Monday, January 7, 2019, 6:00 p.m. Mr. Semmler reminded all Commissioners that when agenda items are predominantly South of the Broad, he would suggest having the meeting at the Bluffton library.
 - Ms. Barbara O'Leary, a Seabrook resident, asked for clarification regarding a letter she recently received – Seabrook Solar, LLC. Mr. Eric Greenway explained there was an Amendment to the Development Agreement. Per the Community Development Code, we are required to notify all property owners within 500 feet of the property involved. Beaufort County Council will address this matter at their December 10, 2018, meeting. The amendment addresses vegetation and reforestation of this property because they cannot replant all of the trees due to the solar panels on the property.

ADJOURNMENT: Dr. Caroline Fermin made the Motion to adjourn the meeting, and Mr. Ed Pappas seconded the Motion. The motion carried (**FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Hinchler, Pappas; ABSENT: Mitchell**). Mr. Semmler adjourned the meeting at approximately 6:50 p.m.

SUBMITTED BY:



Diane McMaster, Community Development Senior Admin Specialist



Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: January 7, 2019

Note: The video link of the February 5, 2018, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=3628