Daufuskie Island Plan and Code Committee

Meeting Minutes

May 10, 2022

Members Present

Leanne Coulter
Cathie Moore
Jodee Brunning
Sonny Timmerman
John Schartner
Martha Hutton
Martha Tarrant

Guests Present

Deborah Smith

- <u>Definitions</u>: It was noted that a definitions section needs to be added to the Code. Sonny
 volunteered to draft the definitions section. Everyone should send a list of items needing to be
 defined to Sonny.
 - a. <u>BTL</u>: This is the abbreviation for Building To Line.
- 2. <u>Code Amendments</u>: Jodee explained that Code amendments are only included in the online version of the DI Code. Amendments are not included in the pdf version of the Code available on the County's website. Jodee distributed revised copies of several pages of the DI Code which were adopted October 26, 2020 (see attached Exhibit A).
 - a. Page B-9: Division D.1: Transect Zones, D3 General Neighborhood
 - b. Page B-13: Division B-1: Transect Zones, D4 Mixed Use
 - c. Page B-17: Division D.1: Transect Zones, D5 Village Center
 - d. Page B-21: Division D.1: Transect Zones, D5 Gateway Corridor
- 3. <u>Lot Coverage</u>: Leanne pointed out that there are some existing very small lots. If the maximum lot coverage of these lots is 30%, it would be very difficult to build anything on the lot. Sonny explained that the maximum lot coverage amount is designed to limit impervious surface area so that excessive storm water runoff does not become a problem. Sonny recommended that the maximum lot coverage areas should not be changed. However, the DI Code only applies to new development. Existing properties are grandfathered in.
- 4. Road Right-of-Way: Sonny pointed out that the Road Right-of-Way is not defined unless the County owns the Right-of-Way.
- 5. Revisions to the DI Code: Sonny volunteered to draft revisions to the DI Code that this committee recommends.
- 6. <u>Buffers</u>: There was conversation that some additional thought needs to be given to buffers, what type are needed, and where they are needed. Jodee explained that Thoroughfare Buffers are covered in the Beaufort County Community Development Code, and she distributed copies of it (see attached Exhibit B). However, Daufuskie Island does not have any thoroughfares.
- 7. <u>Building Types</u>: Committee members should review the building types described in the DI Code and where they are allowed to verify whether any changes should be made.
- 8. RV and Manufactured Homes: Permits are required for power, water, and sewer connections as well as septic fields. Therefore this should help limit the number of persons who can set up an RV to live in.

- 9. Short Term Vacation Rentals: Deborah Smith joined the meeting to encourage the committee to recommend that the DI Council pass an interim resolution regarding Short Term Vacation Rentals. She distributed copies of a Draft Resolution for the committee's consideration (see attached Exhibit C). This is an issue for portions of the island that are not located in a Planned Unit Development, or a Private Development with Covenants regarding short term rentals. Discussion included the following:
 - a. The resolution as worded would allow any properties that are legal residences outside of a private development to be used as a short term rental until such time as a more permanent long term policy is developed. Concern was expressed that this could open the island to problems associated with unrestricted short term vacation rentals.
 - b. While tourism is important to Daufuskie Island's economy, it is also important to keep it in balance with the needs of the community and island residents.
 - c. Beaufort County government requires a 4-year history of short term rentals on a property before they will grant a permit for short term rentals. This poses a hardship to some property owners. A suggestion was made that if the Council wants to help provide relief for this issue, it could recommend that the rental history date to when Beaufort County adopted the Short Term Rental ordinance on September 28, 2020. However, Beaufort County may not follow that date.
 - d. Ladies Island requires a Special Use Permit for a property owner to do short term vacation rentals. The permit process requires hearings where interested parties can voice their opinions. Even if a property had been previously rented for many years, the Special Use Permit is still required for short term vacation rentals. This is an approach Daufuskie Island could consider. The Beaufort County Zoning and Appeals Board would be the entity that would approve the permits.
 - e. After discussion, no action was taken by the committee on this issue.
- 10. <u>Urgent Issues</u>: Jodee explained that the committee can put forward suggested revisions to the DI Code as individual items. The County prefers that all necessary revisions not be submittal at one time. The committee agreed that the most urgent issues for this committee to address are:
 - a. Manufactured Homes
 - b. Short Term Vacation Rentals

Respectfully submitted by Martha Tarrant

Attachments:

Exhibit A: Ordinance 2020/48: Text Amendment to the Daufuskie Island Community Development Code

Exhibit B: 5.8.50 – Thoroughfare Buffer

Exhibit C: DRAFT Short Term Vacation Rentals Resolution-Smith-220510

ORDINANCE 2020 / 48

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX B (DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE), SECTIONS B.1.50, B.1.60, B.1.70, AND B.1.80 TO ELIMINATE MAXIMUM LOT SIZE REQUIREMENT FOR MINOR SUBDIVISIONS

WHEREAS, added text is highlighted in yellow and underlined.

Adopted this 26th day of October, 2020.

COUNTY COUNCIL OF BEAUFORT COUNTY

By:

Joseph Passiment, Chairman

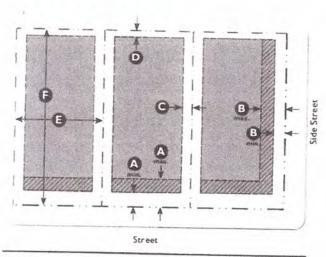
ATTEST:

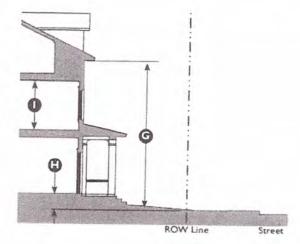
Sarah W. Brock, JD, Clerk to Council

First Reading: September 14, 2020/ Vote: 11:0 Second Reading: October 12, 2020/ Vote 11:0

Public Hearing: October 26, 2020

Third Reading: October 26, 2020/ Vote 11:0





---- ROW / Property Line

Building Area

Setback Line

Facade Zone

Setback (Distance from Front	15' min., 50' max.	a
Side Street	10' min., 50' max.	Ö
Side:		
Side, Main Building	7 1/2' min.	0
Side, Ancillary Building	5' min.	~
Rear		
Rear, Main Building	15' min.	0
Rear, Ancillary Building	5' min.	0
Façade within Façade Zone:		
Front	75%	
Side Street	50%	

Lot Size (43,560	SF Maximum)		
Width	The second secon	max.	(3)
Depth	200'	max.	ā

Miscellaneous

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation. Education, Safety. Public Assembly uses

Maximum lot size does not apply to minor residential subdivisions meeting the requirements of Section 6.1.30.A

D. Building Form		
Building Height		
Main Building	2 stories max.	(9)
Ancillary Building	2 stories max.	
Ground Floor Finish Level	18" min.	(2)
Upper Floors(s) Ceiling	8' min. clear	Ô
Footprint		
Maximum Lot Coverage ²	30% of lot area	
Miscellaneous		

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

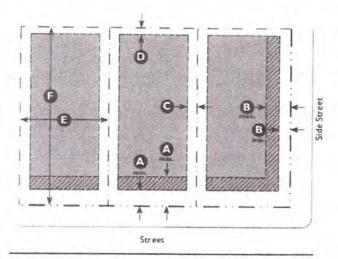
Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

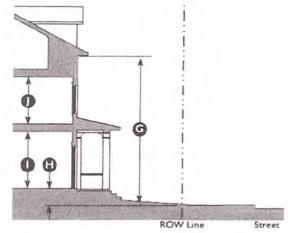
²Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.

E. Gross Density

Gross Density 3.0 d.u. per acre

'Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)





---- ROW / Property Line

Building Area

Setback Line

Facade Zone

C. Building Placement		- 8
Setback (Distance from ROW/Property Line		
Front	15' min., 30' max.	0
Side Street	10' min., 30' max.	(3)
Side:		
Side, Main Building	7 1/2' min.	0
Side, Ancillary Building	5' min.	_
Rear:		
Rear, Main Building	15' min.	1
Rear, Ancillary Building	5° min.	_

Lot Size (20,000	SF Maximum)	
Width	100 ft. max,	(3)
Depth	200 ft. max.	a

Miscellaneous

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint Exceeding 10,000 square feet.

Maximum lot size does not apply to minor residential subdivisions meeting the requirements of Section 6.1.30.A

D. Building Form		
Building Height		
Main Building	2 stories max.	0
Ancillary Building	2 stories max.	
Ground Floor Finish Level:1	18" min.	(1)
Ground Floor Ceiling:	10' min.	0
Upper Floor(s) Ceiling	8' min.	Ŏ
Ground Floor Johhies and Com	mon areas in multi unit	-

Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.

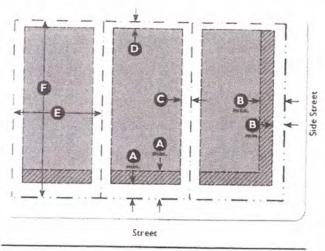
Maximum Lot Coverage? 30% of lot area	Footprint	
Transfer Solo of lot area	Maximum Lot Coverage ²	30% of lot area

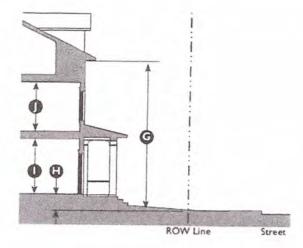
¹Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

²Lot coverage is the portion of a lot that is covered by any And all buildings, including accessory buildings.

E. Gross Density	
Base site area less than 5 ac.	8.0 d.u. per acre
Base site area greater than 5 ac.	4.0 d.u. per acre

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)





---- ROW / Property Line

Building Area

- Setback Line

Facade Zone

Setback (Distance fro	om ROW/Property Li	ne)
Front	5' min., 20' max.	0
Side Street	5' min., 20' max	_ŏ
Side:		_ŏ
Main Building	7 1/2' min.	0
Ancillary Building	5' min.	
Rear		
Main Building	15' min.	(0)
Ancillary Building	5' min.	_
Lot Size (20,000 SF N	faximum)	
Width	100' max.	(3)
Depth	200' max.	-ă

Miscellaneous

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

Maximum lot size does not apply to minor residential subdivisions meeting the requirements of Section 6.1.30.A

D. Building Form		1
Building Height		
Main Building	2 1/2 stories max.	0
Ancillary Building	2 stories max.	
Ground Floor Finish Level:1		- (D)
Residential	18" min.	•
Commercial	6" max.	
Ground Floor Ceiling:	10' min.	0
Upper Floor(s) Ceiling	8' min.	Õ
Ground Floor lobbies and com	mon areas in multi-unit	

Ground Floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.

Footprint	
Maximum Lot Coverage ²	30% of lot area

Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

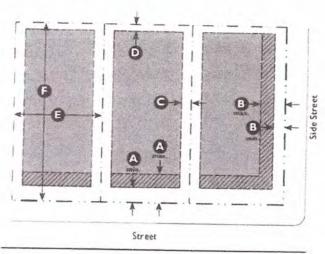
Beaufort County Building Codes.

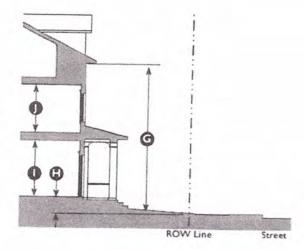
²Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

E. Gross Density

Gross Density¹ 8.0 d.u. per acre

'Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)





--- ROW / Property Line

Building Area

-- Setback Line

Facade Zone

C. Building Placeme		
Setback (Distance fr	om ROW/Property Lie	ne)
Front	15' min., 30' max.	0
Side Street	10' min., 30' max	Ō
Side:		ĕ
Main Building	7 ½ min.	0
Ancillary Building	5' min.	
Rear		
Main Building	15' min.	(1)
Ancillary Building	5' min.	9
Lot Size (20,000 SF N	faximum)	
Width	100' max.	(3)
Depth	200' max.	ā
Miscellaneous		-

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

Maximum lot size does not apply to minor residential subdivisions meeting the requirements of Section 6.1.30.A

D. Building Form		
2 stories max.	0	
	(i)	
18" min.	w	
6" max.		
10' min.	0	
8' min.	ň	
	2 stories max. 18" min. 6" max. 10' min.	

Ground Floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.

Footprint	
Maximum Lot Coverage ²	30% of lot area

Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

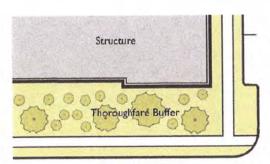
²Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

E. Gross Density	
Gross Density ¹	4.0 d.u. per acre
Gross Density is the total r site divided by the Base Site	number of dwelling units on a

Beaufort County Community Development Code

5.8.50 - Thoroughfare Buffer

Table 5.8.50: Thoroughfare Buffer







A. Description

The thoroughfare buffer provides visual screening between development and a public street or road. The width, quantity of plant materials, and opacity depends on the number of lanes of the public thoroughfare.

B. Applicability

A thoroughfare buffer is required along all collector and arterial roads within all conventional zones, community preservation districts, T2 Rural, T2 Rural Low, and T2 Rural Neighborhood.

C. Minimum Buffer Width

Thoroughfares with 2 or 3 Lanes	
Minimum Buffer Width	20 feet ¹
Thoroughfares with 4 Lanes or More	
Minimum Buffer Width	50 feet ¹
Notes	
¹ Buffer widths are measured from the right-of-way line in	to the site
D. Plant Requirements (per 100 linear feet)	
Thoroughfares with 2 or 3 Lanes	
Overstory Trees	2
Understory Trees ³	7
Shrubs	15
Thoroughfares with 4 Lanes or More	
Overstory Trees	4
Understory Trees ³	14

Shrubs	30
E. Opacity	
Thoroughfares with 2 or 3 Lanes	
Minimum Opacity	30%
Thoroughfares with 4 Lanes or More	
Minimum Opacity	75%
F. Existing Trees in Thoroughfare Buffer	
No tree 6 inches DBH or larger shall be removed fro sight triangle area, diseased trees, or other safety is:	om any thoroughfare buffer, exclusive of access drive location, required sues subject to DRB and/or staff approval.

(Ord. No. 2015/32, § 1, 11-9-15; Ord. No. 2017/20, 6-26-17.)

DRAFT

A RESOLUTION BY THE DAUFUSKIE ISLAND COUNCIL RELATING TO VACATION HOME RENTALS

WHEREAS, the Daufuskie Island Code does not include any definitions or regulations of short term vacation rentals; and

WHEREAS, in mid-2021 the Beaufort County Code was amended to include vacation home rental regulations; and

WHEREAS, In November 2021 Daufuskie vacation home owners received a county notice about a new business license requirement; and

WHEREAS, Daufuskie vacation home owners have reported difficulty in obtaining this business license because Daufuskie's Code does not explicitly authorize vacation rentals; and

WHEREAS, there is a collaborative effort underway between the Daufuskie Island Council and County Administrator and his Planning & Zoning staff to address this issue; and

WHEREAS, that while the vacation home business is vital to Daufuskie's economy, the Daufuskie Island Council believes that the community would be best served by a comprehensive vacation home policy; and

WHEREAS; developing such a policy should be done in a thoughtful and deliberate manner, including input from the community and its vacation home owners; and

WHEREAS; vacation home owners in the island's private developments are governed by convenances and bylaws, but owners outside of the private developments are governed by the Daufuskie island Code, and in the absence of any authorizing language are at risk of losing their ability to continue renting out their property; and

WHEREAS; it is the sense of this Council that there should be an interim vacation home policy pending development of a comprehensive policy in the Daufuskie Island Code in order to protect our community's vacation home property owners; therefore be it

RESOLVED; that the Daufuskie Island Council calls on the Beaufort County Council to approve an amendment to the Daufuskie Island Code stating "Nothing in this code shall be construed to mean that vacation home rentals are not allowed on Daufuskie Island, as long as 1) such properties are legal residences; 2) vacation rentals are not prohibited by a private development where the property is located; and 3) the property owner pays all applicable taxes.

A	0000
Approved by the Daufuskie Island Council on	. 2022.
ADDIOVED BY THE DAULUSKIE ISIATIO COULDING OF	. 2022.