

COMMITTEE ON PLANNING AND DEVELOPMENT
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve C. Davis, District No. 8

Members: Mr. Phillip Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Dennis L. Fish, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the **COMMITTEE ON PLANNING AND DEVELOPMENT**, Standing Committee of Berkeley County Council, will be held on **Monday May 9, 2005**, following the meeting of the Committee on Public Works and Purchasing, the Committee on Water and Sanitation, the Committee on Human Services, the Committee on Justice and Public Safety and the Committee on Finance in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

APPROVAL OF MINUTES

April 11, 2005

Held in Committee on April 11, 2005:

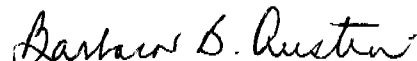
A. Consideration prior to First Reading of the following:

1. An **ordinance** amending **Ordinance No. 99-7-41**, implementing the most recent version of various **International Codes** relating to building, residential, gas, plumbing, mechanical, and fire standards, and adopting certain provisions and appendices of said codes.
2. An **ordinance** to amend and clarify articles 4, 5.5, 5.6, 7.2 and 7.3 of Ordinance No. 01-8-35, adopted August 27, 2001, **the Zoning and Development Standards Ordinance**, and amending Ordinances Numbered. 02-08-33, 02-12-58, and 04-11-68.

B. Review prior to Second Reading of the following:

1. **Bill No. 05-33**, an **ordinance** providing for the establishment of vested rights to develop property in Berkeley County.
2. **Bill No. 05-34**, an **ordinance** to amend the **Berkeley County Comprehensive Plan**, Ordinance No. 99-4-18, as amended by Ordinance No. 04-08-48, pursuant to South Carolina Code of Laws Section 6-29-510 (1976, as amended).

May 4, 2005


Barbara B. Austin, CCC
Clerk of County Council

COMMITTEE ON PLANNING & DEVELOPMENT
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve C. Davis, Council Member District No. 4

A **meeting** of the **COMMITTEE ON PLANNING & DEVELOPMENT**, Standing Committee of Berkeley County Council, was held on **Monday, May 9, 2005**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 8:41 p.m.

PRESENT: Mr. Caldwell Pinckney, Jr., Council Member District No. 7, Acting Chairman; Mr. Phillip Farley, Council Member District No. 1; Mrs. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Dennis L. Fish, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mrs. Nicole Ewing, Deputy County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mr. Steve C. Davis, Council Member District No. 4, was excused from this meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

During periods of discussion and/or presentations, minutes are typically condensed and paraphrased.

APPROVAL OF MINUTES

Acting Chairman Pinckney called the meeting to order and asked for approval of minutes from the Committee on Planning and Development Meeting held April 11, 2005.

It was moved by Council Member Crosby and seconded by Council Member Fish to approve the minutes as presented. The motion was passed by unanimous voice vote of the Committee.

A. Consideration prior to First Reading of the following:

1. An **ordinance** amending **Ordinance No. 99-7-41**, implementing the most recent version of various **International Codes** relating to building, residential, gas, plumbing, mechanical, and fire standards, and adopting certain provisions and appendices of said codes.

Supervisor Rozier stated that Berkeley County would be the last county to adopt these codes. The General Assembly has authorized the SC Building Codes Council to mandate the International Building Codes. The County must adopt and implement the

codes by July 1, 2005. The codes will be would adopted with the following recommended amendments:

- a. 200-square-foot or less, freestanding structure not permanently in place would not require a building permit.
- b. An attached building of 400 square feet or less would not require an engineer or architectural seal.

It was moved by Council Member Spooner and seconded by Council Member Mims to approve, prior to **First Reading**, an ordinance amending Ordinance No. 99-7-41, implementing the most recent version of various International Codes. The motion was passed by unanimous voice vote of the Committee.

2. An ordinance to amend and clarify articles 4, 5.5, 5.6, 7.2 and 7.3 of Ordinance No. 01-8-35, adopted August 27, 2001, **the Zoning and Development Standards Ordinance**, and amending Ordinances Numbered 02-08-33, 02-12-58, and 04-11-68.

Ms. Madelyn Robinson, Zoning Administrator, stated the zoning classifications of GC and OI currently allow multi-family and town homes. Staff would like for these uses to be allowed in R4 and R5 only. Staff also proposed to have a maximum density in R4 of 7 dwellings per acre and in R5, 10 dwellings per acre.

Council Member Crosby questioned changes to Section 5.5.3, permitted uses.

Ms. Robinson responded that staff proposed to remove single-family detached uses (site built homes) from R4 and R5. R4 and R5 would then only allow town homes and single attached homes, patios, duplexes, triplexes and quadplexes. Single family detached would fall under R1 and R2.

It was moved by Council Member Spooner and seconded by Council Member Fish to approve, prior to **First Reading**, an ordinance to amend and clarify articles 4, 5.5, 5.6, 7.2 and 7.3 of Ordinance No. 01-8-35, the **Zoning and Development Standards Ordinance**, and amending Ordinances Numbered 02-08-33, 02-12-58, and 04-11-68. The motion was passed by unanimous voice vote of the Committee.

B. Review prior to Second Reading of the following:

1. **Bill No. 05-33**, an ordinance providing for the establishment of vested rights to develop property in Berkeley County.

Ms. Robinson stated that a vested rights ordinance must be established in Berkeley County. The state statute has a provision beginning July 1, 2005, that if the local government does not have a vested rights ordinance, a project can be vested for five years, regardless of any changes that a local government may have made to an ordinance.

The proposed ordinance would be more restrictive with a project vested for two years rather than five years, but would allow for two one-year extensions.

It was moved by Council Member Fish and seconded by Council Member Spooner to approve, **prior to Second Reading, Bill No. 05-33.** The motion was passed by unanimous voice vote of the Committee.

2. Bill No. 05-34, an ordinance to amend the Berkeley County Comprehensive Plan, Ordinance No. 99-4-18, as amended by Ordinance No. 04-08-48, pursuant to South Carolina Code of Laws Section 6-29-510 (1976, as amended).

It was moved by Council Member Spooner and seconded by Council Member Charles Davis to approve, **prior to Second Reading, Bill No. 05-34.** The motion was passed by unanimous voice vote of the Committee.

It was moved by Council Member Spooner and seconded by Council Member Mims to adjourn the Committee on Planning and Development. The motion was passed by unanimous voice vote of the Committee.

Ms. Robinson announced that the mandated training for the Planning Commission members, Zoning Appeals Board members, staff and anyone else interested in attending would be held on May 12, 2005, 8:30 a.m. to 12:30 p.m. Presently, there are no make-up dates for this required training.

The meeting ended at 8:56 pm.

June 13, 2005
Date Approved