

**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 April 11, 2005**, following the meeting of the Committee on Water and Sanitation, the Committee on Community Services and the Committee on Justice and Public Safety in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, at **6:00 p.m.**

AGENDA

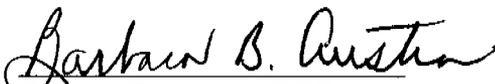
APPROVAL OF MINUTES

February 14, 2005

A. Consideration prior to First Reading of the following:

1. An **ordinance** providing for the establishment of vested rights to develop property in Berkeley County.
2. 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.
3. 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).
4. 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.

April 6, 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, April 11, 2005**, in the Assembly Room of the Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:34 p.m.

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

Chairman Steve Davis called the meeting to order and asked for approval of minutes from the Committee on Planning and Development Meeting held February 14, 2005.

It was moved by Council Member C. Davis and seconded by Council Member Spooner 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** providing for the establishment of vested rights to develop property in Berkeley County.

It was moved by Council Member C. Davis and seconded by Council Member Spooner to approve the **consideration prior to First Reading of an ordinance providing for the establishment of vested rights to develop property in Berkeley County.** The motion was passed by unanimous voice vote of the Committee.

Ms. Madelyn Robinson, Zoning Administrator, explained that if the county wants to establish a vested rights ordinance, it has to be in place by July 1, 2005. This

establishes a point in time that a development has formally submitted for the right to develop the property thru a subdivision and it is established at that time that the property is vested to continue forward with that development for a certain amount of time. As of this time, the statute defaults to seven years for vestment. If this ordinance is in place by July 1, 2005, the county can shorten that time to a two year vestment.

Council Member Spooner asked for some clarification as to how does this affect the developments that are already on board.

Ms. Robinson explained that the subdivision regulations would have to be studied and a cut off time would need to be established.

2. 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.

Council Member Spooner stated that since the International Codes have to be enforced even if there is no ordinance passed, why should an ordinance have to be passed.

Ms. Nicole Ewing, Deputy County Attorney, stated that she agreed that an ordinance doesn't need to be passed to enforce it, but we would have to repeal the previous ones by ordinance. The legislation provides that the appendices are not automatically adopted and the Chief Building Official is desiring to adopt some of the appendices so we would need to do that by ordinance.

Council Member Spooner stated that a list of the appendices needs to be studied before it is sent on to First Reading and find out exactly why the Chief Building Official is wanting to adopt the appendices.

Chairman S. Davis asked if Mr. Palmer Gourdine, Chief Building Official, could appear before the Committee and explain the current status of the International Codes before the ordinance is passed.

Chairman S. Davis stated that this item will be put on hold.

3. 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).

Ms. Robinson stated that with the rapid growth of Berkeley County, there is concern that development is going to exceed infrastructure. Alternative funding sources are needed to help with the impact of development on infrastructure. Before that can be accomplished, the Community Facilities element of the Comprehensive Plan to establish

a Capital Improvements Plan that addresses the seven criteria of this proposed amendment.

It was moved by Council Member Crosby and seconded by Council Member Spooner to approve consideration prior to First Reading of 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). The motion was passed by unanimous voice vote of the Committee.

4. 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. Robinson stated there was no deadline on this ordinance and the draft copies were not available.

Chairman S. Davis stated this ordinance would be put on hold.

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

The meeting adjourned at 6:52 p.m.

May 9, 2005
Date Approved