



# Planning Commission

## Work Session Minutes – July 7, 2025

### CALL TO ORDER

3:27

A work session of the Planning Commission was called to order by Chairman Mike Tomy and was held in-person in the Planning Conference Room on July 7, 2025, at 1:00 PM. The meeting was recorded and streamed on Facebook in accordance with City Policy.

### ATTENDEES

Members were in attendance: Mike Tomy, Chairman, Bill Bardenwerper, Vice-Chairman, Kim McFann, Benjie Morillo, Bill Suter, and Libby Anderson..

Staff in attendance: Curt Freese, Community Development Department Director, and Christopher Klement, Planner III.

### CHAPTER 8: ENVIRONMENTAL & RESOURCE PROTECTION

Chairman Tomy asked that everyone attending to state their name and what area they represent.

**PC Members:** Libby Anderson, Hermitage neighborhood, Benjie Morillo, Pigeon Point, Mike Tomy, Downtown, Bill Bardenwerper, Bay Street, Bill Suter, Northwest Quadrant, Kim McFann, Old Commons, Clinton Hallman, City Walk. **Staff:** Curt Freese, Planning Director, City of Beaufort, Christopher Klement, Planner III, City of Beaufort. **Public:** Paul Trask, representing himself, Dianne Farrelly, Oakhaven area, Grant McClure, Coastal Conservation League, Francis Ackerman, Pigeon Point, Greg Braswell and wife Stephanie, Pigeon Point and Higginsville, Thomas Velasco and Myra Belasco, representing themselves and Higginsville, Jill Rubin and Tom Rubin, Higginsville and Patricia Dankford, representing herself.

Before going over the code amendments, Mr. Tomy addressed the comments regarding Chapters 7 and 9 that the Planning Commission (PC) had received back from the Chamber of Commerce, dated July 3, 2025, via City Manager's Office and City Council, however which they had not commented on yet. Mr. Tomy noted that the Chamber's comments had been made on an older version of the Code revisions and some of their comments may have already been addressed. Mr. Tomy stated that he would be attending the City Council meeting that following night. Mr. Hallman suggested that PC should ask the Chamber of Commerce to make comments on the most recent draft.

#### Public comment:

**Paul Trask, 608 Bladen Street**, stated the PC is taking this situation more calmly than he would. The Chamber of Commerce never once sent a representative to any work session planning meetings or a regular meeting. Mr. Trask stated he would let City Council know about this at their next meeting on July 8, 2025.

**Dianne Farrelly** asked if the public would have access to the Chamber of Commerce comments so that we can review them as well. Mr. Tomy said that will be a decision of City Council. Ms. Farrelly was advised that at least 40 to 50 % of the comments were questions or regarding scrivener's errors.

**Paul Trask, 608 Bladen Street**, asked when the PC begins to go through a paragraph in a certain chapter, "Do you want the comments at that time". Mr. Tomy responded by saying, "no, but if they have more specific comments for a chapter, then can voice them at that time, too".

**Brett Braswell, 2200 Wilson Drive, representing Pigeon Point and Higginsville**, addressed Accessory Dwelling Units (ADUs) and Section 4.5.3 pertaining to carriage houses and asked the PC to revisit this section pertaining to two ADUs on a T3-N and T4 lot. He understands homeowners wanted to have a granny flat or an in-law cottage in their backyard, but that isn't what we have now. The area has a few properties with two ADUs on them and one is at the end of Lafayette Street. He referred to an existing ADU on Church Street. He also referred to a video conference that a few people attended regarding major cities that were dealing with the same topic back in December and none of the participating municipalities including Denver, Nashville, or Louisville had two ADUs on any property.

**Francis Ackerman, 2407 Pigeon Point Road**, said she took a survey of neighbors and submitted a petition with 238 signatures back in October asking to go to the one ADU and also asking for it to be an "owner on premises" situation rather than somebody buying the properties to rent them as three separate units without living on the property and having any oversight on property regarding noise, parking, etc. She stated safety is a concern, the streets are narrow without sidewalks. Traffic will become a problem, and the emergency vehicles will have issues getting in and out. She referred to the rental business license and stated it is per property not per individual.

**Jill Rubin, 2001 Lafayette Street**, referred to property on Lafayette Street that has four structures across the front of the property and then there is a compound in the back of the property. Her house backs up to the two sides of the compound. Her property now floods, and there is still a bunch of construction going on. Her pond floods and runoff is going into the Marsh. We've had an alligator in the pond now and worried about liability issues. She was told they did not have to pull a permit or get approval since it was only one house and 2 units. Traffic will become an issue as well as parking. Ms. Rubin asked if an owner has one ADU, can you limit the size to be 700 or 800 feet to make it a true cottage and ask if can a community opt out of ADUs if there's enough support that it is not wanted?

**Thomas Belasco, 1402 Palmetto Street**, said he is new to the area. He came here in November and loves the area. He served on the Planning Board in New Jersey and witnessed the ADUs turning into rentals. He referred to the housing crisis. By having short term rentals, the community loses the connection with their neighbors. Parking will be a big issue and will create congested streets for emergency vehicles. He referred to the definition of a Short Term Rental in Beaufort.

**Tom Rubin**, asked how long it takes to change a Code. Chairman Tomy stated that the PC is not changing the Code as a whole, but doing it in segments. After our review, it will need to be reviewed and approved by City Council. Mr. Rubin referred to the subdivision/compound that is being built and stated their silt fencing has gone into their pond which is a protected waterway. He said they have a main drain that goes right there at the compound that goes straight to the marsh and the sediment and silt has gone through the sewer line and out to the marsh. Nothing is being done, and he is frustrated.

**Jill Rubin**, said the only reason we are asking how long it will take is because a Airbnb person is looking at buying this and they already have a house in Beaufort, so they are looking to buy these three homes to turn

into three more Short-Term Rentals. This will be a disaster for us for the next year. Chairman suggested writing a letter to the City.

**Public comment closed.**

Chairman Tomy asked for an update on the Waterfront Park Advisory Committee. Mr. Suter said there is no design yet, but a meeting took place about two weeks ago where the engineering firm gave a presentation. There were no comments about the condition of the park. The engineer talked about what was happening with the platform. They are evaluating various ideas on how the problem will be solved. The park was shut down the following Friday after they came to the City with a finalized report. But at the meeting, the engineer did not say there was imminent danger. Ms. McFann asked when the next meeting will be. Mr. Suter is not sure of the date yet.

Chairman Tomy gave an update regarding further work on the demolition section of Chapter 7. A Committee was formed but it was not made official by City Council, but will be part of their August agenda. This will have a lot to do with how we structure the demolition section. Mr. Freese referred to 3.11.2 and 4.5.3 of the Code. PC agreed to put on their next regular meeting a discussion item about Short-Term Rentals and ADUs.

PC discussed section 8.2 Critical Area Buffer. Mr. Freese referred to the email he sent out regarding the City Attorney's answers to the PC's questions. Mr. Klement showed the City of Beaufort Wetlands Map that was created by the city's GIS Technician, Kat Kirkland, which was previously shared with the board members. The map incorporates the two buffer delineations of 30 feet and 50 feet for further consideration of such provisions within the Code. Currently in Section 8 the critical area buffer lines for conventional districts is 50 feet minimum and for transect based zoning districts is 30 minimum feet. Ms. McFann suggested tightening the language in this section because there are a lot of terms being used but only one definition. Mr. Bardenwerper referred to 8.2.2 and Ms. Anderson's comments dated June 3, 2025.

**Grant McClure, Coastal Conservation League (CCL)**, stated CCL would like to see a buffer on both the critical area and the freshwater isolated wetlands 50 feet applied to the PUDs, 50 feet in the conventional district and 30 feet in the transect areas. He referred to Airport Junction and suggested this area be 50 feet.

PC reached consensus regarding the following numerous provisions in Section 8 to be taken up for action at the next regular meeting, and points were included in the red line draft maintained by staff and updated during the meeting by Christopher Klement under the direction of PC members, including the following:

- Section 8.2.2 under Applicability and Size, change the name OCRM to Department of Environmental Services (DES) - Bureau of Coastal Management (BCM).
- Section 8.2.2.A change sentence to read, Single-family dwelling units, 2-3 unit uses; 30 feet minimum.
- Section 8.2.2.B. change to read, Any other uses (i.e.: multi-family, commercial, industrial); 50 feet minimum.
- Section 8.2.2 - add a new item C to read, Septic systems including drain-fields; 100 feet minimum.
- Section 8.4 under Stormwater, add a new section 8.3 titled Wetland Buffers and Standards.
- New Section 8.3.1, Purpose, put the sentence, The purpose of the wetlands buffer is to protect wetlands shown on the Beaufort County's Wetlands Map that are not otherwise protected by the Critical Area Buffers.
- New Section 8.3.2 Applicability and Size, add the following:
  - A. Wetlands Buffer shall be established on all property located adjacent to a wetland as shown on the County's Wetlands Map. The buffer shall be measured inward from the edge of the critical line, as shown on the County's Wetlands Map in the following increments:

1. Transect-based districts, single-family dwelling units, 2-3 units; 20 feet minimum;
  2. Any other uses (i.e. multifamily, commercial, industrial); 50 feet minimum.
  3. Septic systems, including drain-fields; 100 feet minimum.
- Make a section entitled, Section 8.3.4 (Wetlands) Exceptions, add the sentence
    - (a) The following bodies of water are exempt from these wetlands buffer requirements:
      1. Ponds and wetlands less than half an acre in size.
      2. Stormwater retention facilities, swales, ditches, raingardens.
      3. Ephemeral streams.
    - (b) The Zoning Board of Appeals (ZBOA) may grant an exemption based on the following:
      1. There are extraordinary and exceptional conditions pertaining to the particular piece of property. For example, the exemption is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience of financial disadvantage.
  - Section 8.3.2.(A) change Code Administrator to by this Code.
  - Take out the term Wetlands Buffer wherever it appears and call it a Protected Water Buffer.
  - Section 8.3.1 under Purpose, add word waters after the word protect.
  - Section 8.3.2.A - remove the sentence including without limitation non-tidal waterways and bodies of water, unless exempted by this Code.
  - Section 8.3.3 - Wetlands Standards under A under General Requirements, remove entire paragraph #1.
  - Section 8.3.2.A under Applicability, add at the beginning, The City of Beaufort adopts the standards set forth in The Town of Bluffton's Stormwater Design Manual (SWDM) amended on March 11, 2025, if applicable for all in progress development, proposed development, redevelopment, and major substantial improvements and then remove all the other information within this paragraph.
  - Section 8.3.2.B add after the word any, disturbed area greater than 5,000 square feet on a single lot of record.

The PC talked about McCormick Taylor. There was discussion of the “compound” on Lafayette Street.

**Paul Trask**, stated that the PC already mentioned stormwater ponds, which is an important example. He suggested that the PC should create an exemption based on a collective Planning Commission judgement. He referred to the new restaurant with the tall bluff.

Ms. McFann feels it would be good to have the Engineer at the PC's next meeting for questions.. She suggested the PC defer this section (8.3.2 and 8.3.3) until after discussion with the Engineer. Ms. Anderson suggested maybe the PC should share a revised copy of what was talked about today with them.

PC did not have a chance to review Chapter 2 Maps and Districts, Chapter 3 Land Use Provisions or Chapter 4 Building Design and Infill Standards.

**Dianne Farrelly**, has a concern about referring to a Town's ordinance because sometimes when an ordinance is changed there is no longer available online access. There was discussion that an actual copy of the ordinance recommended to be adopted by reference was at the PC work session and would remain present in the Beaufort Planning Office. She referred to Section 8.3.1.C and E and asked the PC why they downgraded that from actually minimizing the amount of stormwater runoff.

Ms. Anderson asked how the PC is going to handle Short-Term Rentals because it doesn't look like any changes are being proposed in the current version. Mr. Bardenwerper stated the PC hasn't come up with anything regarding the Short-Term Rentals or the ADUs on how we want to change it. The idea was to accelerate that timetable by hearing what's on people's minds. Mr. Tomy stated that City Council will let the PC know whether or not these can be separated out and whether to review them independently or not.

It was agreed that Mr. Tomy and Mr. Bardenwerper would take the lead on dealing with the Chamber of Commerce's comments and report back.

The PC agreed to hold the next work session on Monday, August 11, 2025, at 1:00 pm.

**The Work session ended at 3:50 pm.**