



Town of Summerville
Special Called Council Meeting – UDO Workshop #27
Annex Building – 200 South Main Street, Summerville, SC 29483
Training Room, 2nd Floor
Wednesday, October 2, 2019 – 2:30pm

A G E N D A

1. Call to order
2. Approval of minutes
 - a. Special Council Meeting – UDO Workshop #26, September 25, 2019
3. Discussion of Historic District Guidelines document
4. Consideration of Highway 61 Resolution
5. Discussion of proposed Unified Development Ordinance (UDO)
 - a. Primary discussion of Chapter 12 (Nonconformities) and 13 (Administration and Procedures)
 - b. Discussion of other chapters if necessary
 - c. Discussion of zoning map
6. Mayor's Comments
7. Scheduling of Special Called Council Meeting: UDO Workshop #28
8. Adjourn

Wiley Johnson, *Mayor*

Council Members:

Bob Jackson, Mayor Pro-Tem
Walter Bailey
Aaron Brown
Christine Czarnik
Kima Garten-Schmidt
William McIntosh



Town Administrator
Colin L. Martin

Town Clerk
Beth Messervy

Town Attorney
G.W. Parker

Town of Summerville
SPECIAL CALLED COUNCIL MEETING
UDO WORKSHOP #26
MINUTES - September 25, 2019

Attendance

Present at call to order: Mayor Johnson, Councilmembers Christine Czarnik, Bob Jackson, Walter Bailey, and Kima Garten-Schmidt. Bill McIntosh arrived a 3:26pm. Mr. Brown was absent. A quorum was met. Public and press were duly notified.

Call to Order

The Special Called meeting of Summerville Town Council was called to order at 2:30pm on Wednesday, September 25, 2019 by Mayor Johnson.

Approval of Minutes

Mr. Jackson made a motion, seconded by Mr. Bailey, to approve the minutes of the September 18, 2019 Special Called Council Meeting – UDO Workshop #25. Ms. Czarnik noted that in the section about Historic District Guidelines, an item on page 44 needed to be added. The minutes were amended by the Town Clerk. The motion as amended carried unanimously, and the amended minutes were accepted into record.

Changes and Discussion of Unified Development Ordinance

Mr. Bailey asked staff for a list of citizens who have contacted staff to ask for their property to remain in the same zone after the adoption of the UDO.

Mayor Johnson asked if the UDO would have to have another public hearing. Ms. Shuler stated that if a new zone is applied to the zoning map, another public hearing must be held.

Mr. Bailey expressed his concern with determining which properties would have the new GR-3 zoning. Some discussion followed regarding the zoning of properties that annex into the Town after the adoption of the UDO. Mr. Jackson stated that Council should add the GR-3 zoning to the UDO now, but wait to apply it only to properties annexing in, pending adoption of the UDO.

Some discussion followed regarding rezoning a property that is in the middle of property of a different zoning. Ms. Shuler and Mr. Tim Macholl explained that, for example, changing a GR-2

zoned property into a GR-3, when the GR-2 land in question is surrounded by GR-2 would be spot zoning. More discussion followed.

In Chapter 12 – Nonconformities, Section 12.1 – Purpose and Intent, the following changes were made at the request of Council:

- “Section” was changed to “Chapter”
(this change is to be applied throughout this chapter)
- “this Code” was changed to “the UDO”
(this change is to be applied throughout the chapter)
- “and to bring about their eventual elimination” was removed

In Chapter 12 – Nonconformities, Section 12.3.1 – Modifications to Nonconformities, the following changes were made at the request of Council:

- B1: “more” was changed to “no less”
- B1: “or previous” was added after “existing”
- B2: “or previous” was added after “existing”
- C: “a prescribed” was changed to “as prescribed”

In Chapter 12 – Nonconformities, Section 12.3.3 – Abandonment/Discontinuance, the following changes were made at the request of Council:

- “the Administrator” was changed to “Town staff”
(this change is applied throughout the UDO)
- Item A, number 6, part (a) - “or other circumstances” was removed at the end of the sentence, and “or” was added before “documented vacancy”
- Item A, number 1 – Deleted in its entirety

Mayor’s Comments

Mayor Johnson introduced a resolution regarding the proposed widening of Highway 61 and encouraged Council to read it. He also spoke about Kiawah Island’s change of ordinance regarding rental property: short term rentals, time shares, and club rentals.

Executive Session

Mr. Jackson made a motion, seconded by Ms. Garten-Schmidt, to enter into Executive Session to discuss legal advice regarding pending litigation on E911 case and personnel matter related to hiring of Stormwater Manager. The motion carried unanimously, and Council recessed for Executive Session at 4:03pm.

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Miscellaneous / Other Business

Council reconvened from Executive Session at 4:29pm. Town Attorney GW Parker stated that no action was taken on legal advice regarding pending litigation on E911 case or personnel matter related to hiring of Stormwater Manager.

Mr. McIntosh made a motion, seconded by Mr. Bailey, for Council to approve the settlement of the E911 litigation consistent with the terms of the mediated settlement agreement that is subject to Town Council approval. The motion carried unanimously.

Mr. Bailey made a motion, seconded by Mr. Jackson, to approve the hiring of Ryan Dews as Stormwater Manager. The motion carried unanimously.

Adjourn:

Mr. Jackson made a motion to adjourn, seconded by Mr. Bailey. The meeting adjourned at 4:31pm.

Respectfully submitted,

APPROVED:

Beth Messervy, Town Clerk

William W. Johnson, Mayor

A RESOLUTION PETITIONING THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION TO REDUCE THE PLANNED PAVING OF THE SHOULDERS OF HIGHWAY 61, ASHLEY RIVER ROAD, FROM 4 FEET TO 2 FEET AND TO PROTECT THE ADJOINING TREE CANOPY

WHEREAS the Historic Ashley River Road is integral to the foundation of the Towns of Fort Dorchester and Summerville;

WHEREAS Ashley River Road has been recognized as a National Scenic Byway and is listed on the National Register of Historic Places,

WHEREAS Ashley River Road is owned by the state Department of Transportation (SCDOT) and approximately five miles of it are within the limits of the Town of Summerville;

WHEREAS the Road is in poor condition and SCDOT has announced plans to widen it by four feet with additional clear space on each side and resurface it;

AND WHEREAS the widening the road will require the removal of and estimated 341 trees with a diameter of 18 inches or larger as well as thousands of smaller trees, irreparably damaging the scenic tree canopy from the Charleston-Dorchester county line near Middleton Place to Cooks Crossroads;

AND WHEREAS no public hearing has been held nor planned despite concerns expressed by many people at the September 24 Information Meeting at Ashley Ridge High School;

NOW, THEREFORE. the Town of Summerville petitions the SCDOT to hold a public hearing on the SC 61 widening project and to consider reducing the planned shoulder paving width from four feet to two feet and limit the adjoining clear space to another two feet in order to save thousands of trees and protect the scenic tree canopy.

THIS RESOLUTION is enacted on this 10th day of October, 2019, by the Summerville Town Council.

W. Wiley Johnson, Mayor

Beth Messervy, Town Clerk