



Planning Commission

Work Session Minutes – September 8, 2025

CALL TO ORDER

2:20

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 September 8, 2025 at 1:20 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, Libby Anderson, Clinton Hallman and Benjie Morillo.

Members absent: Bill Suter and Kim McFann.

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

Chairman Tomy went over a few things before the agenda items. Mr. Tomy stated that the Planning Commission Worksessions are still not being listed online. Mr. Tomy will call the City Manager to see what can be done. **It was agreed that the Worksessions are scheduled on a regular basis for the 1st Monday of each month.** Mr. Tomy also reminded the members if there is anything other than public comments that needs to receive a response by members of city council or city government from the PC, that should go through him or Mr. Bardenwerper. Mr. Tomy referred to Robert Rules of Order.

DISCUSSION

6:30

A. Short-Term Rental Ordinance Changes, Section 3.6.2.

Mr. Tomy asked Mr. Freese for clarification based on the letter of companies of the Short-Term Rentals (STRs). Mr. Tomy verified with Mr. Freese on Planning Commission's (PC) role on voting on changes to City ordinances; Mr. Freese stated the PC only gives recommendations. However, since this issue is a little more complicated and since some of the changes the PC has scheduled to be discussed and decided upon at their next regular meeting on September 15, 2025, have repercussion on regulations within the Development Code, it would require PC to vote on these. Mr. Tomy stated all of it was taking out but one sentence. Mr. Freese stated it is a proposal and started at city council, similar to our code amendment process.

Mr. Hallman referred to Section 3.6.2 and the listing of districts in which Short Term Rentals (STRs) are permitted. Why do these districts have STRs and what was the thinking behind the ones that don't have STRs? Mr. Freese said if you read further it doesn't specify a specific district, but it does refer to specific standards. Mr. Hallman referred to the T2 zoning district designation. Mr. Freese stated the city does

not have any properties in T2. **PC agreed to address this in the future when it may become more prevalent.**

Mr. Freese stated the PC needs to adopt the revisions within the Development Code; furthermore, if PC thinks that City Council should go further with any proposed ordinance changes, that they would first discuss and present Council with their recommendations, if they don't think it should stay in the Development Code. Mr. Freese spoke about the differences of owner-occupied STRs vs Investor-owned Short-Term Rentals (ISTRs). Owners, who live on their properties, would be the only ones allowed to utilize Accessory Dwelling Units (ADUs) as STRs as the Investor-owned ADUs would no longer qualify for the owner exemption.. Mr. Bardenwerper felt the ordinance was more for the investor STRs. Mr. Tomy referred to Section titled Short-Term Permits #6 where it says *a designated agent may apply for rental registration permits*, that's where its not all owner-occupied. It's allowing multiple rentals under a single person who does not live here and, as he stated, that this does not feel right.

Public Comment

Lise Sundrla stated the scare, and the concern has been in the last 5 to 10 years of violence not only in the downtown area but in all of Northern Beaufort County. Vacation Rental by Owners (VRBOs) started in 2008, and the first online platforms were created in 1995. In 2017-2018, City Council pulled together and strengthened the ordinance we have now, and the city was using a company to track the STRs. People are also fearing they are losing their sense of neighborhoods. "Do we really want more owner-occupied or investors STRs?" She referred to the vacant and dilapidated buildings and said the Code encourages them to become STRs.

Paul Trask stated that the person Mr. Tomy was referring to was Evey Flemming. She gave a passionate talk in front of City Council regarding the fact that she needed that income. It was very compelling and she's probably not the only one.

Public comment closed.

The PC agreed to remove the IC zoning designation to the permitted districts and thus to change the sentence, *STRs where the owner does not live on the premises are prohibited* and to remove the IC reference under numeral #2.

Mr. Tomy said it is very important that the PC gets the same kind of ordinances about apartments, Bed & Breakfast, and STRs. We already have a huge problem with apartments (i.e.: Garden Oaks).

PC went over the *draft* of the new standalone STRs ordinance. Mr. Tomy made the following comments:

- Under Good Standing, item #2, it says licensed has not expired. A license shall be deemed expired ten (10) business days after the final day of the previous business license year. Mr. Tomy feels 10 days is too short of time and *maybe it should be a minimum of two weeks*.
- Under Investment STR Business License (ISTR), item #3, proof of inheritance shall be shown through a Deed of Distribution, court order, Will and similar documents like a Trust. Mr. Tomy feels *this should be included under Good Standing for dwelling units* because PC is removing "of Investment", it should move that up. If it is owner-occupied, you want to be able to pass it along.

Mr. Freese asked if PC wanted to think about the *distance requirement* issue.

Mr. Hallman referred to Section C, item #1, that there is a reference to Section 3.6.2.C.2 of the Beaufort Development Code which said “C.2” and that this should be included in the section reference. Mr. Freese will double check the section.

Mr. Hallman referred to Requirements and Eligibility, item #5, the acronym of owner occupied STRs should be (all first letters) capitalized, just like ISTRs is.

Mr. Tomy referred to page #2, item #8 and stated that there is one parking space provided for each bedroom being rented, *should be changed to two or maybe three*. Mr. Freese said we can change it here to one per unit, but the PC might have to revisit Section 5.6 of the code.

Mr. Tomy referred to section D (g), which talks about no later than ten (10) days to renew an existing license and *it should be a minimum of two weeks*.

Mr. Tomy referred to page 4, Short Term Rental Permit, item 8 (d). **PC agreed to leave it as it is.**

Mr. Tomy referred to page 6, item (p), it should be certification by the owner and a safety approval verified because a safety inspection is required. Mr. Freese said this was for the renewal to verify that a safety inspection was done. Mr. Tomy said it is required by State Law that to have an inspection of your fire extinguishers and smoke detectors every year. Mr. Tomy suggested *adding verification by owner and validated annual inspection fire extinguishers, etc.* Mr. Freese will look into this.

Ms. Anderson referred to page 6, item (r), Wait List and wondered what happens if the 6% cap was eliminated. She also referred to F, Violations, #9, and said it seems a party of up to 25 people is still allowed.

B. Accessory Dwelling Unit Changes, Section 3.11.2 and Section 4.5.3

Mr. Freese went over the changes that were proposed.

- Section 3.11.2.F under Pool House, adding 2.A. that states, *A Pool House may be utilized as an Accessory Dwelling Unit, provided the total number of Accessory Dwelling Units on a lot do not exceed 1.*
- 4.5.2 under Carriage House, b.2., i
- The numbering is off in the document and that will be fixed.

Public Comment

Paul Trask said the apartments are not really affordable housing and the accessory dwelling is the best possible way to have a quality, lower cost dwelling. It also provides some extra density in the community that supports things like a neighborhood baker. Maybe under a special exception rule you can allow an investor type with certain rules. He recommend the PC promote ADUs and limit STRs.

Public comment closed.

Ms. Anderson suggested if two ADUs by right would be too much, maybe another option could be implemented, where either one detached and one attached ADU, e.g. a carriage house over a garage could still be permissible. This would reduce additional impact.

The Worksession ended at 4:19 pm.