

## PLANNING COMMISSION

Demery Bishop  
Ron Bossick  
Marianne Bramble  
Tina Gann  
Charles Matlock  
David McNaughton  
Alan Robertson



## CITY MANAGER

Shawn Gillen

## COMMUNITY DEVELOPMENT DIRECTOR

George Shaw

## CITY ATTORNEY

Edward M. Hughes

### Planning Commission Meeting MINUTES June 17, 2019

**Chair Bishop** called the June 17, 2019, Tybee Island Planning Commission meeting to order. Commissioners present were **Marianne Bramble, David McNaughton, Alan Robertson, Charles Matlock** and **Tina Gann**. **Ron Bossick** was absent.

#### Consideration of Minutes:

**Chair Bishop** asked for consideration of the May 20 2019, meeting minutes. **Commissioner Robertson** made a motion to approve. **Commissioner Matlock** seconded. The vote to approve was unanimous.

#### Disclosures/Recusals:

**Chair Bishop** asked if there were any disclosures or recusals. There were none

#### Old Business:

**Chair Demery Bishop** asked if there was any old business. **Commissioner McNaughton** asked George Shaw where we are on the proposed change related to the casino boat. **George Shaw** stated he has had no feedback so far from City Council on that subject. **Commissioner McNaughton** made a motion to recommend City Council amend Sec. 4-050 paragraph (L) under uses permitted after site plan approval and remove the letter L. passenger cruise lines, so they will no longer be permitted. **Commissioner Robertson** seconded. The vote was four to one, motion carries.

#### New Business:

#### Subdivision of Land: requesting to divide property back into 3 single-family lots – 109 Jones Avenue – Zone R-2 and C-2 – 4-0003-13-021 – Thomas A. Smith.

**George Shaw** approached the Planning Commission and stated the owner applicant of 109 Jones Avenue would like to recreate the three lots that were originally platted at this property.

**Commissioner Bramble** asked could a duplex be built on any of these lots. **George Shaw** stated yes on one of the lots a duplex can be built. **Chair Bishop** asked if this re-subdivision currently meets existing Land Development codes. **George Shaw** stated yes and the City Attorney does not believe the sixty-foot rule applies in this case because these lots existed before. **Commissioner McNaughton** stated he would like to know if one of these lots is commercial or not. **George Shaw** stated that was an error and he would make sure what the zoning is on that lot. **Thomas A. Smith** approached the Planning Commission and stated that two of these lots are residential and one is commercial.

**Commissioner McNaughton** made a motion to continue this item until the July agenda to gather information on whether one lot is Commercial or not. **Commissioner Bramble** seconded. The vote to continue was unanimous.

### **Discussion only:**

#### **Home Base Business and Home Occupation Business – City of Tybee Island**

**George Shaw** approached the Planning Commission and stated that staff is looking for a clear understanding of what is allowed for home based and home occupation business. One is allowed by right and one by special review only. For example home based has to be conducted entirely within the home. Is a shed allowed to be used for home business or not. If customers come to the home which would that be and if so is there a limit to that. Also if there is inventory or making of products can that be stored outside or in a garage. Would that be part of the home. **Chair Bishop** stated an office is a physical room within the home. An occupation is using that office for that occupation for example using a laptop. **Chair Bishop** stated Planning and Zoning needs to figure this out in office. **George Shaw** stated that would be good.

### **Changing to buildable area requirement rather than simply lot size:**

**George Shaw** approached the Planning Commission and stated this is about changing the requirement to buildable upland area instead of lot size. **Commissioner McNaughton** made a motion to recommend City Council adopt a change in the Land Development code that identifies buildable area as the continuous area of upland soils designated for development of a lot. The area identifies coastal marshlands are excluded from the buildable area associated with a lot. Areas subject to setbacks maybe included when calculating buildable area. **Commissioner Robertson** seconded. The vote was unanimous.

### **200-foot rule:**

**Commissioner McNaughton** moved that we ask City Council to eliminate Sec. 3-090 (1).

**Commissioner Robertson** seconded. The vote was unanimous. **Keith Gay** approached the Planning Commission and asked that Planning and Zoning Commission to take under advisement if you have a large number of people whose families have owned lots for a long period with the expectation of building on them consistent with this rule. Properties on the beach side will lose ocean views being farther back when the other buildings are all forward. The other purpose with this is to have some conformity with the way the buildings line up on the streets.

### **Requiring 100 percent (less driveway) greenspace in setbacks:**

**George Shaw** approached the Planning Commission and stated this is about saving greenspace area. Currently allowed in the setbacks are accessory structures, patio's and pool's. This would eliminate those in the setbacks. **Chair Bishop** stated there is a possibility to improve on the setback and he is not sure one hundred percent is reasonable. **Commissioner Bramble** stated Tybee is in need of more greenspace to soak up some of the torrential rains we get. **Commissioner Bramble** made a motion that the City Council consider increasing the percentage of greenspace required in setbacks.

**Commissioner Gann** seconded. The vote was three in favor **Commissioners McNaughton, Gann** and **Bramble** and two opposed **Commissioners Robertson** and **Matlock**. Motion in favor carried.

### **Limiting vacation rental licenses:**

**George Shaw** approached the Planning Commission and stated that the intent was to cap the number of short-term rentals or limit them only to certain zones. The intent is to not let them keep growing. **Chair Bishop** stated in 2010 the City was at 40% short-term and now we are 60% short-term rentals. **Commissioner Robertson** stated this is more of an importance that we place on managing density on this island. **Commissioner McNaughton** stated that water and sewage issues are being driven by the vacation rental business, so to lessen the strain on the water and sewage issues, vacation rentals is one place look. **Keith Gay** of Tybee Beach Vacation rentals approached the Planning Commission and stated he feels like this would be an invasion of property rights to not be able to rent your own property. **Keith Gay** also stated maybe add some kind of tax or fee to short term rentals that would

provide the funding necessary to enhance water supply, improve roads and increase sewage treatment. **Dusty Church** who works for Tybee Vacation rentals approached the Planning Commission and stated he thinks that there might be unintended consequences if a cap is put on short-term rentals. For example, what is happening in the Downtown Savannah area as far as values on homes that can or cannot be rentals? He also stated if Tybee would enforce them more, that would be a good start to decrease the operating number. **Mack Kitchens** who lives at 146 S. Campbell Avenue, Tybee Island, approached the Planning Commission and stated he has a vacation rental next to him with a pool. He thinks the Planning Commission has an obligation to do something about the short-term vacation rentals. This Island needs some kind of regulation on short-term rentals. He stated Tybee's season is getting longer. He would like to see stronger actions taking place on the rentals. Maybe a monetary penalty would help get a better handle on the problems. **Chair Bishop** stated the Planning Commission needs data like information on complaints, studies and fees on the short-term rental industries to try to look at solutions. **Karen Gilbert** of 113 Jones Avenue Tybee Island approached the Planning Commission and stated short-term rentals have impacted on the density of Tybee Island and the over occupancy that is of certain properties puts a strain on water and sewer uses. Planning Commission should require an occupancy certificate as part of the short-term registration process. That would initiate inspections. **Monty Parks** who lives at 1014 Jones Avenue Tybee Island approached the Planning Commission and stated he was in the group that was formed in 2014 to study the short-term rental problems. He stated raising the registration fee could help with the water and sewer cost. We need help with enforcement. **Commissioner McNaughton** stated he would like to volunteer to gather the information needed on short-term rentals. **Commissioner Robertson** made a motion to continue short-term rentals to the July Planning Commission meeting and adjourn tonight. **Commissioner Bramble** seconded. The vote was unanimous.

Meeting adjourned 9:30pm.

*Lisa L. Schaaf*