

MAYOR
CHRISTIE RAINWATER
MAYOR PRO TEM
MICHAEL SALLY
CITY ADMINISTRATOR
COURTNEY SOLER



CITY COUNCIL
KEN BOGGS
JEFF C. CHANDLER
MIKE DYSON
KEVIN HEDGPETH
ADAM SPURLOCK

AGENDA
HANAHAN PLANNING COMMISSION MEETING
Tuesday, September 5, 2023
6:00 P.M.

1. **Call to Order by Chairperson Pat Eckstine**
2. **Determination of a quorum.**
3. **Pledge of allegiance to the Flag.**
4. **Read and approve the meeting minutes from August 1, 2023.**
5. **Old Business:**
None
6. **New Business:**
 - A. **Dycon-Robinson St/ Dickson Ave Minor Land Development Final Plat-** A plat to create two residential lots from a 0.227-acre parcel at 5800 Robinson Street (TMS 265-15-04-001). Applicant: Mr. Mike Dyson, PD Homes, LLC.
 - B. **Planning Commission’s Rules of Procedure-**Review and adoption of new Rules of Procedure
7. **Citizen Comments.**
8. **Next Meeting: Tuesday, October 3, 2023**
9. **Adjourn.**

Staff Report

Agenda Item: 6.A

Project Title: Dyson-Robinson Street Minor Land Development Final Plat

Staff: Lee Lawson, AICP
City Planner

Applicant: Mr. Mike Dyson, P.D. Homes, LLC.

Request: For the Planning Commission to approve a minor development plat for recording. The purpose of the plat is to create two parcels from an existing lot.

Zoning: Town Center District (TC)

Site Size: 0.227 Acres (9,884 Square Feet)

TMS #: 265-15-04-001

Background Summary:

The property to be divided is located at 5800 Robinson Street. It sits on the northwest corner of the intersection of Robinson Street and Dickson Avenue in the Port Park neighborhood. Situated on the parcel is an 804-square-foot single-family residence with a carport that is orientated to Robinson Street. The lot area is 12,066.12 square feet. The property has water and sewer services. The property is a corner lot and fronts on Robinson Street and Dickson Avenue. The SCDOT maintains both streets. A sidewalk borders the property along Dickson Avenue.

The applicant is proposing to divide the property and create two new lots. The southerly lot (Lot 23) will have an area of 6,054.8 square feet with a width of approximately 66 feet and will have the existing house. The northerly lot (Lot 23A) will be 3,842 square feet with about 58 feet of lot width.

Key Issues:

The applicant plans to build a single-family residence on Lot 23A. The house must meet all of the Town Center District's design standards, including the color and materials used for the front façade, orientating the building to the street, and utilizing the rear yard for parking.

Current Property Information	
Land Use:	Single-family residence
Site Features:	Trees along Dickson Ave near the intersection with Robinson Street
Flood Areas:	Not in a special flood hazard area.
Vehicle Access:	Robinson St. is classified as a Local Street and is maintained by SCDOT. Dickson Ave. is classified as a Major Collector and is maintained by SCDOT.

Surrounding Zoning and Land Use:		
	Zoning:	Land Use:
North:	Town Center (TC)	Single-family residence
South:	Town Center (TC)	Offices
East:	Town Residential (TR) Town Center (TC)	Brown’s Mobile Home Park Undeveloped
West:	Town Center (TC)	Single-family residence

Zoning District Summary	
Zoning District Intent:	<p>Town Center (TC). This zone intends to promote and protect the economic growth and vitality of the Yeamans Hall Road commercial corridor by encouraging the convenient and coordinated land use and development between the Hanahan Municipal Complex and Remount Road, a major gateway to the city. It is the intent that regulations for land use and development within this district will:</p> <ol style="list-style-type: none"> (1) Enhance the viability of local businesses by coordinating land uses and site planning in a harmonious, interconnected environment that reduces the need for vehicular transportation to and between establishments; (2) Provide opportunities for medium-density residential development that houses a market for commercial uses in the traditional center of Hanahan and carefully balances the impacts of commerce with the needs of residents—especially those in existing houses—in the district by mitigating negative externalities on site; (3) Create a sense of place in Hanahan cultivated by high-quality outdoor public spaces by using buildings to form an appealing, safe environment that functions for pedestrians, cyclists, and motorists; and (4) Build over time a mixed-use built environment that uses land efficiently and generates significant positive revenue for the City of Hanahan.
Permitted Uses	Proposed Use:
Single-family residences, Rowhouses, Duplexes, Townhouses, Multifamily residences, Hotels, Bed and Breakfast Inns, Boarding houses, Houses of worship, retail, restaurants, professional services, personal services, medical services, institutions, government, recreation, entertainment, etc.	Single-family residence

Zoning District Summary		
	Requirements	Proposed:
Minimum Lot Size:	Minimum Lot Area: 900 sq. ft.	Lot 23: 6,042 sq. ft. Lot 23A: 3,842 sq. ft.
Minimum Lot Width:	Minimum Lot Width: 18 feet	Lot 23: 66.17 feet Lot 23A: 57.83 feet
Setback Requirements:	<p>Minimum Front Setback: The average front setback of the primary building shall not be greater than the height of the primary building.</p> <p>Rear Yard Setback: Twenty-five (25) feet</p> <p>Side Yard Setback: No side yard shall be required for buildings shorter than three (3) stories and thirty-five (35) feet.</p>	

Comprehensive Plan Consideration(s):

The future land use map designates the subject property as Town Center Mixed-Use. The Town Center Mixed-Use area is focused on the intercept of Yeamans Hall and Remount Roads. It is intended to promote development in a more traditional downtown form that incorporates a mixture of specialty retail, dining, entertainment, higher-density residential, office, and civic/cultural uses. The mix of uses is intended to create a pedestrian-oriented shopping, dining, living, and working experience, with integrated public spaces such as plazas and parks. Buildings are designed to be close to and oriented toward the sidewalk, especially at street corners.

The following principle, goals, and policies of the Comprehensive Plan apply to this application:

- Hanahan will promote reinvestment and revitalization efforts in its existing residential and commercial neighborhoods. *(Overall Vision and Guiding Principle #1)*
- Hanahan will embrace having a variety of housing opportunities that enhance the character, diversity, and vitality of the City *(Housing Goal #1)*
 - The City will encourage a variety of housing types and styles to accommodate people at different life stages, income levels, and social and physical needs.
- Hanahan will preserve and enhance existing communities and neighborhoods from physical deterioration resulting from neglect and lack of maintenance, substandard construction practices, natural hazards, and encroachment of incompatible development. *(Housing Goal #2)*
 - The City will support the redevelopment or enhancement of existing communities and neighborhoods that have suffered from physical deterioration, including offering support programs to help with improvements and upkeep.
- Hanahan will pursue infill and redevelopment opportunities where appropriate to maximize the use of existing infrastructure. *(Housing Goal #3)*
 - The City will encourage infill and the redevelopment of vacant and/or underutilized land where public services already exist.

- Hanahan will continue to protect and enhance the character of the City’s existing neighborhoods as well as encourage the preservation of its wetlands and natural resources. *(Land Use Goal #1)*
 - The City will ensure that new development in residential districts is compatible in scale and character with existing residences and that it preserves important neighborhood characteristics.
- Hanahan will continue to encourage redevelopment and revitalization of older commercial and residential areas, which are served by existing infrastructure, and ensure any redevelopment is compatible with existing residential neighborhoods. *(Land Use Goal #1)*
 - The City will encourage infill and redevelopment opportunities to fill existing residential, commercial, and light industrial space where appropriate.

Planning Consideration(s):

The following general considerations, planning concepts, and other facts should be considered in the review of this application:

1. The proposed minor land development plat is consistent with the Future Land Use Map and several goals and policies of the Hanahan Comprehensive Plan.
2. The infill development of the site would enhance the surrounding area.
3. The plat meets the Zoning and Land Development Ordinances standards.

Planning Commission Alternatives:

1. Approve the Minor Development Plat.
2. Deny the Minor Development Plat.

Preliminary Staff Recommendation:

Staff recommends Alternative #1 for the following:

1. The proposed plat meets the intent of the Comprehensive Plan.
2. The development meets the Zoning and Land Development Ordinances standards.

Attachments:

1. Minor Land Development Final Plat Application
2. Dycon-Robinson St/ Dickson Ave Minor Land Development Plat
3. Aerial Map
4. Zoning Map
5. Future Land Use Map



**CITY OF HANAHAN
MINOR LAND DEVELOPMENT PLAT
APPLICATION**

Building and Codes Department
1255 Yeamans Hall Road
Hanahan, SC 29410
(843)886-6046
www.cityofhanahan.com
lee.lawson@cityofhanahan.com

Applicant		Property Owner	
Name:	PD Homes LLC / Dycow Inc	Name:	
Phone:	843-696-0452	Phone:	
Mailing Address:	1295 Yeamans Hall Rd Hanahan SC 29410	Mailing Address:	
E-mail:	Dycowinc@comcast.net	E-mail:	
City Business License # (if applicable):			
Project Information			
Project Name:	Dycow - Robinson/Dickson plat	Project Location:	
Zoning District:	Town Center	Acreage:	
Tax Map Number(s):	265-15-04-001		0.139
Project Description: LOT			
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Digital files of the Subdivision Plat signed by a surveyor registered in South Carolina. Paper copies will be required upon approval. <input checked="" type="checkbox"/> 2. Recorded deed showing proof of property ownership. <input checked="" type="checkbox"/> 3. Pursuant to S.C. Code § 6-29-1145, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? <input checked="" type="checkbox"/> 4. An Application Review Fee as determined by the City of Hanahan Master Fee Schedule. Checks made payable to the City of Hanahan.			
Note: A Pre-Application Meeting is recommended before Application submission. Paper copies will need to be submitted before the recording of the subdivision.			
Disclaimer: The City of Hanahan assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature:	PD Homes LLC	Date:	8/14/2023
Applicant Signature:	Trish Dycow	Date:	8/14/2023
<i>For Office Use</i>			
Received By:	Lee Lawson	Date Received:	8.14.2023
Approved By:		Date Approved:	

NOTES.

1. BY GRAPHICAL PLOTTING ONLY THIS PROPERTY APPEARS TO LIE WITHIN FLOOD ZONE "X" AS PER F.I.R.M. COMMUNITY PANEL NUMBER 45015C 0693 E, WITH AN EFFECTIVE DATE OF DECEMBER 7, 2018.
2. THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
3. TOTAL AREA = 9884 sqft = 0.227 ACRES
4. PROPERTY CORNERS FOUND AS LABELED. ANY PROPERTY CORNERS TO BE SET SHALL BE 3/4" REBAR.
5. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARIES OF THIS SURVEY IS FOR DESCRIPTIVE PURPOSES ONLY.
6. THE PUBLIC RECORDS REFERENCE ARE ONLY THOSE USED FOR ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY AND DOES NOT IN ANY WAY CONSTITUTE A TITLE SEARCH.
7. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT OBVIOUS OR APPARENT TO THE SURVEYOR.
8. THE HORIZONTAL DATUM IS SC MAD 83 (2011 ADJUSTMENT) STATE PLANE.
9. VERTICAL DATUM IS NAVD 1988.
10. PROPERTY IS ZONED: TC
11. THIS SURVEY DOES NOT CONFIRM OR DENY THE EXISTENCE OF WETLANDS.

REFERENCES.

PLAT OF PORT PARK SUBDIVISION, DATED JANUARY 1949, BY J. O'HEAR SANDERS, JR, AND RECORDED IN PLAT BOOK F, PAGE 53A, AT THE BERKELEY COUNTY R.O.D. OFFICE.
 DEED RECORDED IN DEED BOOK 3252, PAGE 399, AT THE BERKELEY COUNTY R.O.D. OFFICE
 PROPERTY OF PD HOMES, LLC

I HEREBY CERTIFY THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE BERKELEY COUNTY REGISTER OF DEEDS OFFICE.

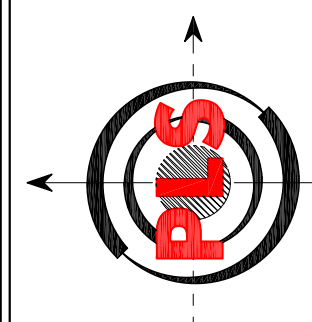
CITY PLANNER, CITY OF HANAHAN _____ DATE _____

I (WE) HEREBY STATE THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY CONSENT TO THE SUBDIVISION AND EASEMENTS AS SHOWN

SIGNATURE _____ DATE _____
 SIGNATURE(S) OF PROPERTY OWNER(S) OR LEGAL REPRESENTATIVE THERE OF:

LEGEND

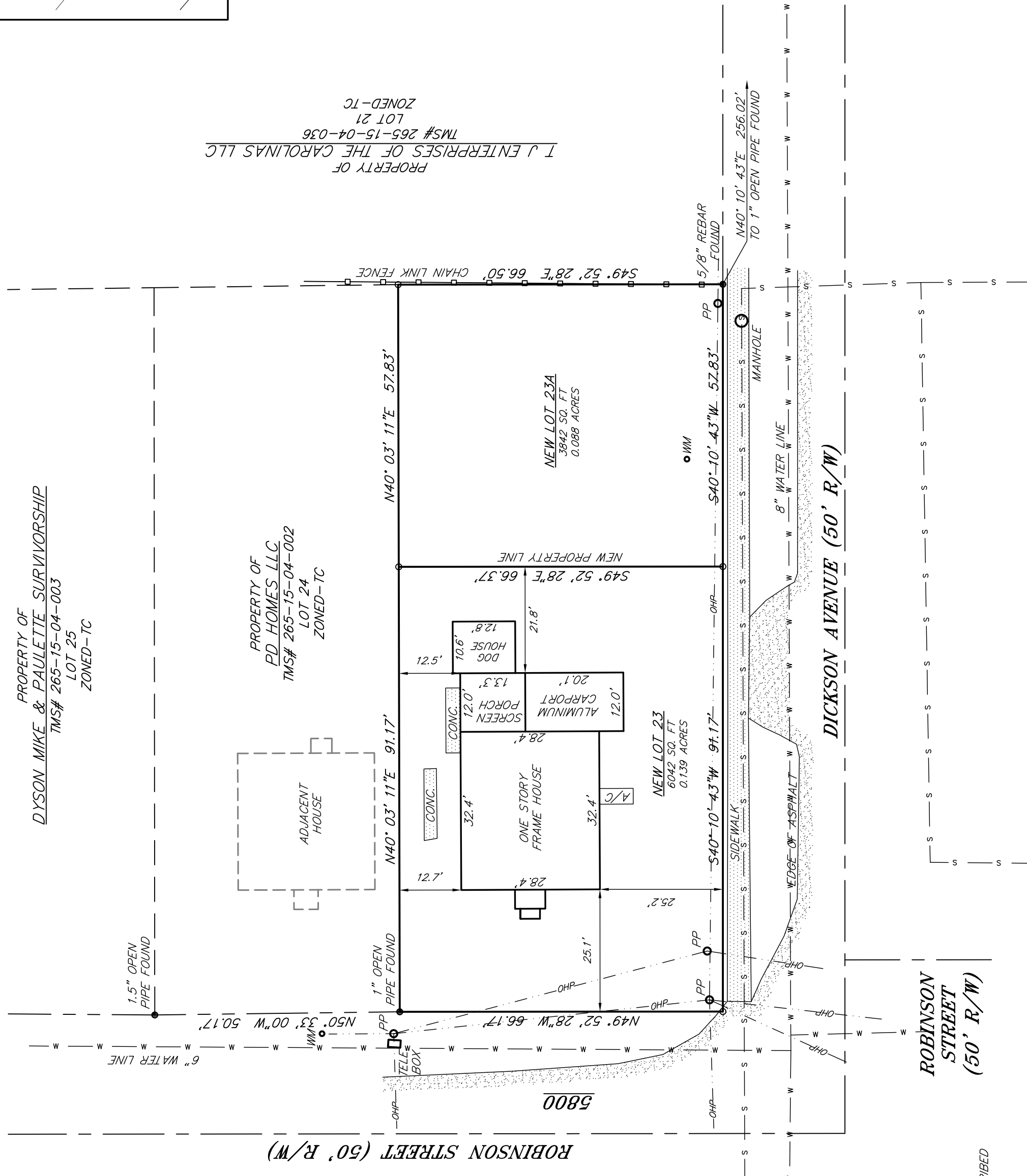
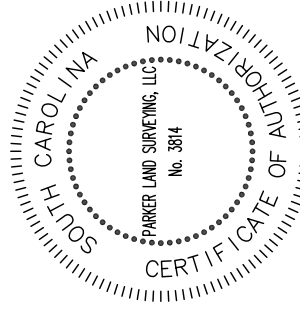
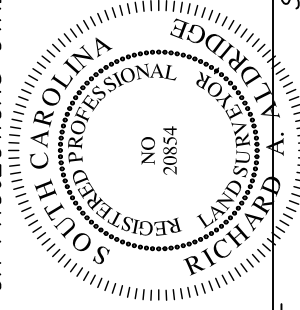
- PROPERTY CORNER, MONUMENT FOUND AS DESCRIBED
- PROPERTY CORNER SET, 3/4" REBAR
- — — ADJACENT PROPERTY LINE
- — — RIGHT OF WAY LINE
- — — CENTERLINE OF RIGHT OF WAY LINE
- — — OHP = OVERHEAD POWER
- — — APPROXIMATE LOCATION OF EXISTING 8" SEWER LINE
- — — APPROXIMATE LOCATION OF EXISTING WATER LINE
- PP = POWER POLE
- WM = WATER METER



Parker Land Surveying, LLC
 5910 Griffin Street
 Hanahan, SC 29410
 Phone: (843) 554-7777
 PLS.SCC.COM

RICHARD A. ALDRIDGE S.C.P.L.S. No. 20854

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



PROPERTY OF
 T U ENTERPRISES OF THE CAROLINAS LLC
 TMS# 265-15-04-036
 LOT 21
 ZONED-TC

PROPERTY OF
 DYSON MIKE & PAULETTE SURVIVORSHIP
 TMS# 265-15-04-003
 LOT 25
 ZONED-TC

PROPERTY OF
 PD HOMES, LLC
 TMS# 265-15-04-002
 LOT 24
 ZONED-TC

NEW LOT 23A
 3842 SQ. FT.
 0.088 ACRES

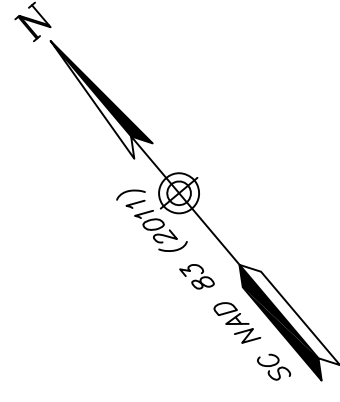
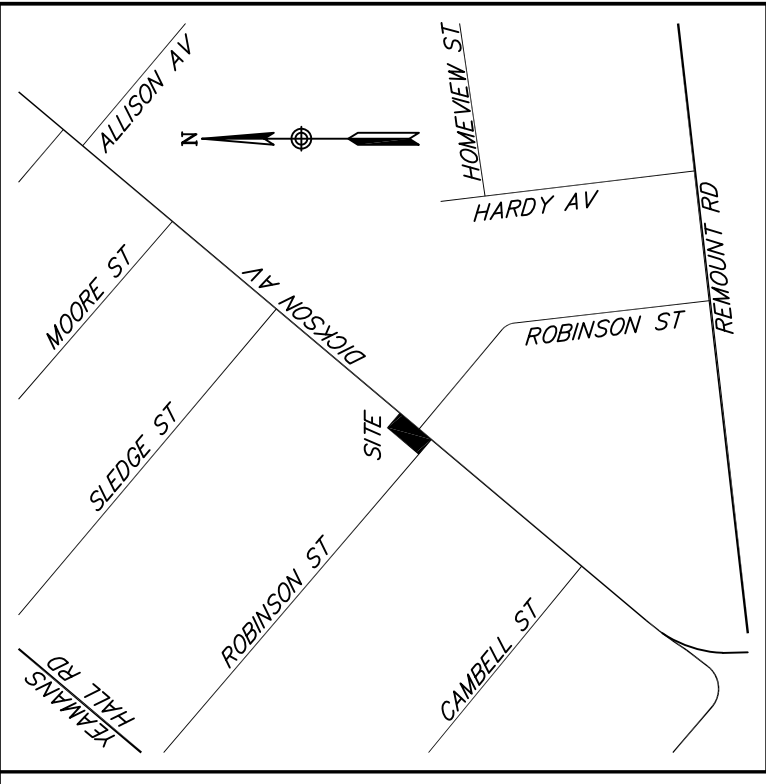
NEW LOT 23
 6042 SQ. FT.
 0.139 ACRES

PROPERTY OF
 PD HOMES, LLC
 TMS# 265-15-04-002
 LOT 24
 ZONED-TC

PROPERTY OF
 PD HOMES, LLC
 TMS# 265-15-04-002
 LOT 24
 ZONED-TC

NEW LOT 23A
 3842 SQ. FT.
 0.088 ACRES

NEW LOT 23
 6042 SQ. FT.
 0.139 ACRES

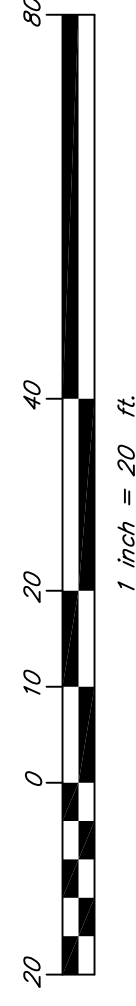


DYCON-ROBINSON ST. / DICKSON AVE. FINAL PLAT

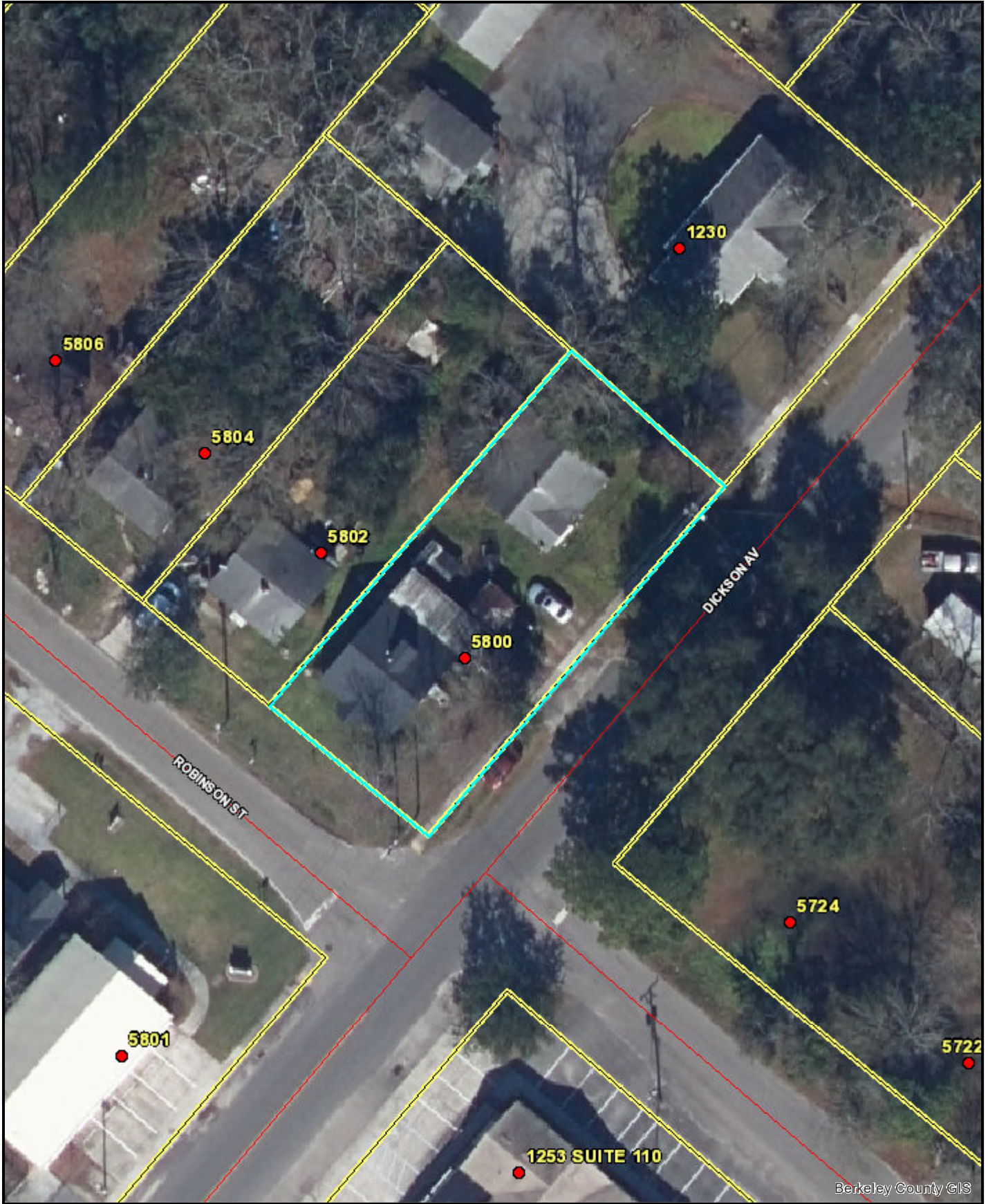
SHOWING THE SUBDIVISION OF LOT 23, TMS# 265-15-04-001, 0.139 ACRES, CREATING LOT 23A, 0.088 ACRES, PROPERTY OF PD HOMES LLC, PORT PARK SUBDIVISION, BLOCK G, LOCATED IN THE CITY OF HANAHAN, BERKELEY COUNTY, SOUTH CAROLINA

DATE: AUGUST 8, 2023

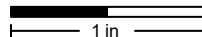
SCALE = 1" = 20'



Berkeley County GIS Online Mapping



1 inch = 42 feet



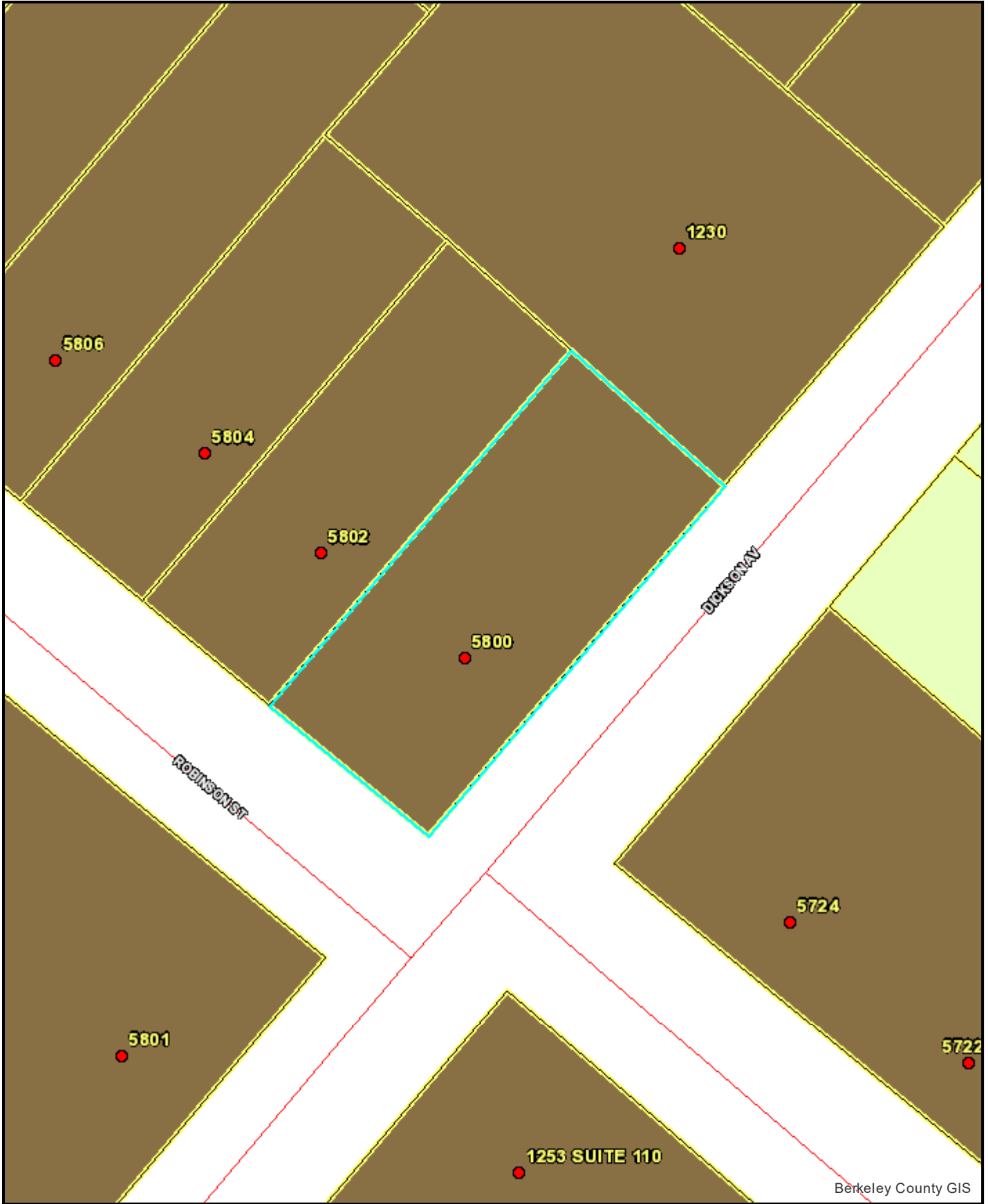
Date: 8/22/2023

Berkeley County GIS



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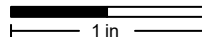
Berkeley County GIS Online Mapping



Berkeley County GIS



1 inch = 42 feet



Date: 8/22/2023

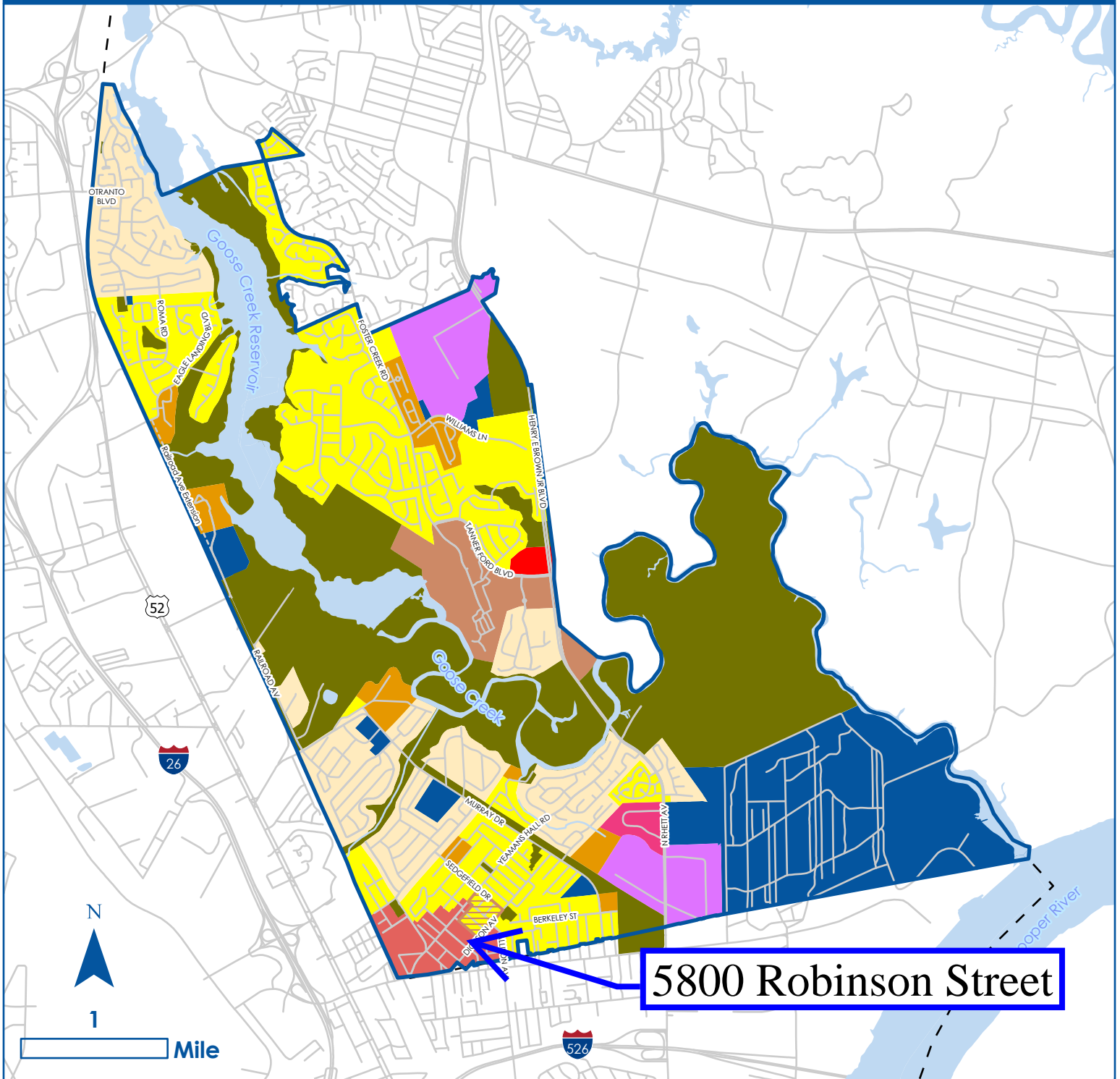
Berkeley County GIS



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Future Land Use

Hanahan 2040 Pathway to the Future



5800 Robinson Street

Proposed Future Land Use Designations

- Conservation-Recreation
- Low Density Neighborhood
- Medium Density Neighborhood
- High Density Neighborhood
- Neighborhood Mixed Use

- Town Center Mixed Use
- General Commercial
- Commercial-Industrial
- Industrial
- Institutional
- Town Center Expansion Area

Political Boundaries

- Hanahan Boundary
- County Boundary

**CITY OF HANAHAN, SOUTH CAROLINA PLANNING
COMMISSION
RULES OF PROCEDURE 2023**

I. Organization

1. Rules

These rules of procedure, also known as bylaws are adopted pursuant to [S.C. Code of Laws, Title 6, Chapter 29](#), section 320 for the Hanahan Planning Commission.

2. Membership

Members shall be appointed by City Council and shall serve without compensation. Members are expected to serve for the entire term of appointment and attend scheduled meetings. Members should notify the Chairman and Secretary in advance if they expect to be tardy or absent. **Attendance of each meeting shall be recorded and maintained in accordance with Section IV(1)(B) of this document.**

A. Education Requirements

Each appointed Commission Member must comply with the educational requirements as outlined in [S.C. Code of Laws, Title 6, Chapter 29](#), Article 9 and annually report proof of satisfaction to the Clerk of Council.

B. Conduct of Members

- 1) It is the responsibility of a Commission member to render a fair and impartial judgment and remain objective. All reasonable efforts shall be made to avoid individual communications with applicants or those with a vested interest.
- 2) A Commission member shall avoid the appearance of influence from applicants or those with a vested interest in a request before the Commission.
- 3) A Commission member should help to maintain the dignity and integrity of the meeting and all who participate.
- 4) Abuse of any meeting participant of any kind will not be tolerated and could be grounds from dismissal by City Council.
- 5) A Commission member, upon recognition by the Chair, shall have the floor until he/she relinquishes it.
- 6) Each Commission member who wishes to speak will be afforded the utmost opportunity.
- 7) No Commission member shall interrupt while another is speaking, except where otherwise provided in the rules.
- 8) No Commission member should speak twice in a matter until all members have been afforded the opportunity to speak once.
- 9) Individual Commission members may express their views or request information without limitation on any subject provided that no member of the Commission shall speak for the Commission except as may be directed by the Commission. In all circumstances, members should exercise care to ensure that their statements and opinions are understood to be solely those of the members.

- 10) All electronic devices shall be silenced or turned off during the meeting. by all present at the meeting, including Commission Member. Prior to the start of the meeting, the Chair shall remind all those in attendance of this requirement.
- 11) The Commission members shall refrain from initiating, commenting, or responding on social media on any matter before the Commission as such communication creates an appearance of an inability to render an impartial and objective decision on an agenda item.

C. Conflict of Interest

Members shall abide by the provisions outlined in the [S.C. Code of Laws, Title 8, Chapter 13](#), section 700(B)(1) and (5) pertaining to conflict of interest. Recusals are permissible pursuant to these provisions.

D. Ex parte communication

As applicable, each appointed official must comply with the requirements regarding ex parte communication as outlined in [S.C. Code of Laws, Title 1, Chapter 23, Article 3](#). The provisions of this section shall apply from the date the matter pending before the Commission commences to and including the effective date of the final decision.

3. Officers

The officers of the Commission shall be a chairman and vice-chairman elected for one-year terms at the first regularly scheduled meeting of the Commission in each calendar year. Members of staff of the City shall serve as secretary and recording secretary of the Board.

A. Chairman

The chairman shall be a voting member and shall:

- 1) Call special meetings;
- 2) Preside at meetings and public hearings;
- 3) Swear in witnesses when applicable;
- 4) Act as spokesperson for the Commission; and
- 5) Perform other duties approved by the Commission.
- 6) Shall not give a motion on business agenda items in order to preserve the impartiality required of the presiding officer of the Planning Commission.

B. Vice-chairman

The vice-chairman shall exercise the duties of the chairman in the absence, disability, or disqualification of the chairman. In the absence of the chairman and vice-chairman, an acting chairman shall be elected by the members present.

For training purposes, the Vice-Chairman shall be required to chair (1) meeting per year.

C. Secretary

The secretary, when applicable, shall:

- 1) Keep the minutes of all meetings of the Commission.
- 2) Give or serve all notices required by law or by these rules and regulations.
- 3) Prepare the agenda for all meetings of the Commission.
- 4) See that the property involved is properly posted in compliance with S.C. Freedom of Information Act requirements.
- 5) Be custodian of Commission records.
- 6) Inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
- 7) Perform other duties normally carried out by a secretary.

II. Meeting Procedures

1. Time and Place

Regular meetings of the Planning Commission will normally be held the first Tuesday night of each month at 6:00 P.M. At such meetings the Commission shall consider all matters properly brought before the Commission. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting.

Special meetings may be called by the Chairman upon at least 24- hour notice and must be posted for the public in accordance with the S.C. Freedom of Information Act.

2. Agenda

A. Order of Agenda

An agenda shall be furnished by the Secretary and posted in accordance with the [S.C. Freedom of Information Act](#). As applicable, agenda items will be listed as outlined in section II.3 of these rules of procedure in the following order:

- 1) Call to Order
- 2) Determination of a quorum
- 3) Pledge allegiance to the Flag
- 4) Approval of Minutes
- 5) Old Business
- 6) Business (in accordance with section II.2.B below)
- 7) Public Comment
- 8) Date of the next meeting
- 9) Adjournment

B. Order of New Business

New business items shall be placed after the administrative items (section II.2.A, 1-4), in the order as numbered and according to the date and time received:

- 1) Items required by ordinance or rules and typically include applications from the public requiring action of the body.
- 2) Matters submitted by Council or departmental staff for the body's consideration.
- 3) Matters proposed by a member of the body with at least one additional sponsoring board member initiated at least one meeting in advance of consideration and having received an affirmative vote for inclusion by the body.
- 4) Items deferred by the Commission that are not finalized after a period of six

months shall be deemed terminated and become null and void.

- 5) Applications and other Items may be removed from the agenda at a meeting by a majority vote.

3. Applications

- A. Requests to be heard before the Commission shall be made by submitting the appropriate application form(s) approved by the Department of Planning, Land Use, and Neighborhoods in accordance with the submittal deadline published on the annual schedule of meetings. The application may be filed by the property owner or his or her designee.
- B. All meetings required prior to submission, whether with the Commission or staff, must be held prior to an application being filed. Failure to meet preliminary meeting requirements may be grounds for rejection of an application.
- C. Applications may require a submittal and review fee in an amount specified by the schedule of fees established by the **City**.
- D. Failure to submit required information or forms and applicable fees may be grounds for rejection of the application.
- E. Requests not permitted or prohibited according to the **Hanahan** Code of Ordinances shall be rejected unless relief has been sought from the appropriate governing body or appellate body.
- F. Any changes, alterations, or additions to plans after final disposition of the request shall require a new application and applicable fee.

4. Quorum

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling a meeting. Those recusing themselves for a conflict of interest pursuant to [S.C. Code of Laws, Title 8, Chapter 13](#), section 700(B)(1) and (5), remaining present, shall be counted as present for the purposes of establishing a quorum.

5. Rules of Order

Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

III. Hearing Procedures

1. Conduct of Hearing

In matters brought before the Commission, the following process and time limits will be followed:

Public Hearings	Time Limit
A. Chair or designee opens the hearing (reads title)	N/A
B. Staff presentation	N/A
C. Applicant presentation	10 minutes
D. Public comments	3 minutes
E. Board/Commission Questions	N/A
F. Applicant and staff response (rebuttal)	5 minutes
G. Chair or designee closes the public hearing	N/A
H. Board/Commission comments and deliberation	N/A
I. Board/Commission Disposition of Request (motion and vote)	N/A

The times set above may be changed on majority acceptance of a motion to suspend the rules with a new time set.

2. Appearance

The property owner or any party in interest may appear in person or by agent or attorney. In the absence of an applicant, the Commission may decide by a majority vote to either postpone the matter or proceed with hearing the matter.

3. Evidence

Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in the form of legible copies. Relevant testimony which is not cumulative or hearsay will be received. The Chair or designee will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

4. Witnesses

Testimony by each witness may be presented under oath, as applicable or necessary. The oath shall be administered by the Chair or the Chair's designee.

5. Public comment

Public comments at Planning Commission meetings are governed by the provisions in these rules of procedure. Any person shall address the commission only during the designated time period. Three minutes will be allowed for each speaker. The Chairman may elect to allow those public comments related to published agenda items to speak prior to those making general comments on non-agenda items. Public comment is not a question-and-answer period or dialogue between the Commission or the public at any point during the meeting.

Except for public hearings, no person shall speak at a meeting unless invited to do so by the Commission.

The Chair or designee will recognize and accept testimony and public comment from all who wish to be heard. No person speaking on an agenda item shall be subject to cross-examination. All inquiries or questions from the public during the meeting shall be posed to the Commission and not the applicant or other member of the public. Commission members shall refrain from making comments and/or asking questions during the applicant presentation or public comment.

Irrelevant testimony or public comments will not be accepted, nor will the reading of repetitious letters or petitions be permitted by the public. Documents received during the meeting may be filed with the Secretary so that the record will show the names of the persons supporting or opposing an application.

Upon the conclusion of the presentations and public comment, each Commission member will have an opportunity to ask questions. Upon the close of the public hearing or public comments, no further testimony or comments will be heard from the public.

The Commission will then make final comments and deliberation of the request prior to a motion being made. Errors of fact may be corrected at any time after the close of the public hearing or public comments.

6. Correspondence

Written correspondence related to agenda items for the Commission shall be submitted to the City one business day prior to the meeting day in order to be published with the agenda for the public. Correspondence received after that date, will not be forwarded to the Commission.

7. Cross Examination

No party shall have the right to cross-examine; however, the opportunity to question speakers with opposing viewpoints may be freely extended to the Commission when conducted in an orderly manner. Intimidation of speakers will not be allowed.

8. Electronic Devices

All electronic devices shall be silenced, turned off, or left outside the meeting room or building during the meeting.

9. Disposition/Action of the Commission

A. Disposition

The Commission may deliberate and either 1) approve, 2) approve with conditions, 3) defer, or 4) deny a matter by a majority vote of members present at the hearing and qualified to vote, provided that not less than a quorum is present. Deliberations shall be conducted in public and voting shall be in public for the record. All decisions by the Commission shall include findings of fact pursuant to [S.C. Code of Laws, Title 1, Chapter 23](#), section 350.

1) Approve

The Commission may approve a matter as submitted.

2) Approval with conditions

The Commission may approve a matter with conditions. The conditions should be clearly and distinctly enumerated and when applicable must include a timeframe for compliance.

3) Deferral Request by the Applicant

Parties filing appeals or applications may, after the application has been advertised as part of a meeting's agenda, request that the application be deferred. A request for deferral must be made in writing, signed (or sent via electronic mail) by the applicant or agent, and must specify an extraordinary

and compelling reason for the deferral. The Commission must vote to approve or deny the request for deferral. Without an extraordinary and compelling reason, only one deferral shall be permitted. The deferred item shall be placed on the agenda of the next regular meeting. An item may be only be deferred one time.

Matters deferred that are not finalized after a period of six months shall be deemed terminated and become null and void. Resubmittal of terminated requests shall be processed as a new application with all prescribed fees and other requirements.

4) Deferral by the Commission

An application may be deferred by the Commission upon its own motion. Deferred requests are not considered approved and the request must be resubmitted to the Commission for review. A member may vote on a matter that the member was not present for when the matter was initially heard. The deferred item shall be placed on the agenda of the next regular meeting. An item may be only be deferred one time.

The Commission may defer final disposition of a matter to a subcommittee of the Commission or to staff by a majority vote of the members present at the hearing and qualified to vote. Matters deferred to a subcommittee or staff that are not finalized after a period of six months shall be deferred back to the Commission and placed on the next meeting's agenda.

5) Denial

Matters before the Commission for final disposition that are denied shall not be resubmitted for a period of twelve months, regardless of change(s) in ownership. Any person aggrieved from actions of the City Planner or other administrative official, may appeal to the appropriate appellate body pursuant to [S.C. Code of Laws, Title 6, Chapter 29](#).

6) Continuance by the Applicant

Parties filing applications may upon a showing of good cause, request that the application be continued for a specified amount of time. A request for a continuance must be made in writing, signed (or sent via electronic mail) by the applicant, or agent and must specify a reason for the continuance. Upon its own motion, the Commission may either approve the request for a continuance or proceed to hear the request. Without an extraordinary and compelling reason, only one such continuance shall be permitted. If a decision has not been rendered within the specified timeframe, the original request will be placed on the next meeting agenda to be heard and the applicant notified of the date and time of hearing.

7) Withdrawal

A request may be withdrawn by the applicant or designee upon written notice (or sent via electronic mail) delivered to the Secretary prior to action by the Commission. Applications withdrawn by the applicant shall be considered a termination of the application. Resubmissions shall be processed as a new application with all prescribed fees and other submittal requirements met.

10. Voting

All eligible Commission members present are expected to vote. A Commission member absent at a previous review of a request is eligible to vote on subsequent review of the same request. Roll call voting shall be by voice, except where specifically outlined in the **Hanahan** Code of Ordinances. An abstention from a vote or failure of a member to vote shall be considered a nonvote. Recusals are only allowed permitted in accordance with [S.C. Code Ann. § 8-13-700](#). Any member recusing themselves from voting on a matter shall prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision. Commission members not present may not vote.

Applications containing multiple requests may be addressed by separate votes of the Commission.

A. Tie votes

In the event of a tie vote on any given motion, the Commission shall endeavor to either approve or disapprove an applicant's request through subsequent motions and votes. If after at least one additional attempt the board remains deadlocked as determined by the Chair or designee, no further motions are necessary, no final decision has been made and the matter is unresolved. The applicant may then return at a subsequent meeting for further consideration of the relief requested. Since no final decision has been rendered, a return will not be considered a rehearing; rather, it will be considered a new hearing. All Commission members, including those that had not participated in the original hearing may participate in the new hearing. Those that previously participated must do so with an open mind to the new proceedings. Any member prejudiced otherwise shall state so on the record and must not participate.

B. Vested Rights

A request approved by the Commission may be vested in accordance with the [S.C. Code of Laws, Title 6, Chapter 29](#), Article 11, and **Hanahan Land Development Ordinance Section 1.11 (Vested Rights to Develop Property)**.

11. Appeal of Commission Decision

A. Appeal of a Commission Decision

Any person aggrieved by a decision of the Commission may appeal to the appropriate appellate body. The appeal must be filed in a timely manner as outlined by the [S.C. Code of Laws, Title 6, Chapter 29](#), Article 11.

IV. Records

1. Minutes

The **Secretary** shall record all meetings and hearings of the Commission. The **Secretary** shall prepare the minutes of each meeting for approval of the Commission. Minutes shall include, at a minimum the following information:

- A. Title and date of the meeting
- B. Commission members present and absent
- C. Staff members in attendance
- D. Time meeting was called to order
- E. Any action taken by the Commission and final disposition of agenda items
- F. Time meeting adjourned

Recordings and minutes shall be preserved and maintained as public records according to the [S.C. Code of Laws, Title 30, Chapter 1](#).

2. Orders and Documents

Where applicable, the Secretary shall prepare and serve all orders of the Commission. Copies of all notices, correspondence, documentary evidence, orders, reports, and forms shall be maintained as public records in accordance with the [S.C. Code of Laws, Title 30, Chapter 1](#).

A. Form and Service of Order

The secretary shall assist in the preparation and service of all orders of the Commission in the appropriate form to each party of interest as outlined in the [S.C. Code of Laws Title 6, Chapter 29](#), section 1150(B).

B. Reports

The secretary shall assist in the preparation and forwarding of all reports in the appropriate form to the Commission members.

V. Adoption and Amendments to Rules of Procedure

1. Adoption

The Commission shall approve adoption of the Rules of Procedure by majority vote of the members on an annual basis. The Secretary shall note the date of adoption on the Rules of Procedure as follow:

These rules were adopted by a majority vote of the members of the Commission at the meeting held on **September 5, 2023**.

2. Amendments

These rules may be amended at any regular Commission meeting by a majority vote of the members at least seven days after the written amendment is delivered to all members and upon appropriate notice to the public.

DRAFT