

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, May 1, 2001, in the County Council Chambers of the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT:

Mr. Jim Hicks, Chair

Ms. Nancy Ann Ciehanski

Ms. Margie Jenkins

Mr. Paul Keyserling

Mr. Mike Zara

Mr. John Abney

Mr. Jerome Goode

Mr. Ben Johnson, III, Vice Chair

Mr. Thomas Mike, Sr.

MEMBERS ABSENT: None

EX-OFFICIO MEMBERS PRESENT: None

STAFF PRESENT:

Mr. Anthony J. Criscitiello, Planning Director

Ms. Barbara Childs, Admin. Assistant to Planning Director

Mr. Stan Williams, Community Preservation Planner

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:00 p.m.

PLEDGE OF ALLEGIANCE: Chairman Hicks led those assembled in the pledge of allegiance.

REVIEW OF MINUTES: The minutes of the April 3, 2001, Commission meeting were reviewed. No changes were noted. **MOTION: Ms. Ciehanski made a motion, and Mr. Mike seconded, to accept the minutes of the April 3, 2001, meeting. No discussion occurred. The motion was carried unanimously (FOR: Abney, Ciehanski, Goode, Jenkins, Johnson, Keyserling, Mike and Zara).**

CHAIRMAN'S REPORT: Chairman Hicks explained the upcoming Comprehensive Plan review process. Discussion included clarification of the process and the timeframe involved.

PUBLIC COMMENT: Mr. Harvey Rivers noted that the reduction to 8 units per acre for Urban Zoning is not compatible with his area (Burton/Broad River Boulevard).

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO): Article VI, Table 106-1526, Open Space and Density Standards; and Article V, Sec. 106-1187, Limited/Special Use Standards for Multifamily Residential (changes maximum densities for multifamily in Urban District from 15 to 8 units per gross acre and from 24 to 16 units per net acre and add limited standards for this use)

Mr. Criscitiello briefed the Commissioners. This item was referred back from the Planning Committee for staff to conduct further analysis. The major concern was that allowable densities for multi-family uses were too high. This amendment reduces the density to allay the incompatibility of the proposed neighborhoods.

Discussion included clarification and ramification of this amendment, a suggestion of Suburban zoning to meet the needs of the Broad River Boulevard property owners, a possibility of rezoning the area again because of other reasons, the Broad River Boulevard rezoning should have been brought back to the Planning Commission to allow the public and the Commission to express further concerns, Mr. Goode's reasons for abstention at the Commission's March 2001 motion regarding the Broad River Boulevard rezoning, the prevalent residential character (with the exception of commercial along the roadways) in the Broad River Boulevard area, the ramification of this ordinance to affordable housing development, a public outcry of such density was experienced during a similar project along Ribaut Road, the County Council's direction regarding density, the density being correlated to recovery of the cost of the property by the developers, the meaning of multi-family use, adjusting the wording in Table 106-1526 regarding minimum and maximum lot sizes for manufactured homes, the staff analysis of all county urban areas to ascertain this density compatibility with the respective neighborhoods and the municipalities, the opportunity for a developer to purchase and combine multiple lots for development, and the limiting requirements on multi-family development.

Public Comment: Ms. Gladys Brewer, a Burton resident, noted her concern that the area went from Rural Residential to Transitional Overlay to Urban. She cannot get out of her driveway easily now because of the current traffic. She believes the density of 8 is too great. She asked that traffic, pollution, and evacuation concerns be considered.

MOTION: Mr. Zara made a motion, and Ms. Ciehanski seconded, to recommend approval of the text amendments to the Beaufort County Zoning & Development Standards Ordinance Article VI, Table 106-1526, Open Space and Density Standards, and Article V, Sec. 106-1187, Limited/Special Use Standards for Multifamily Residential, that change maximum densities for multifamily in Urban District from 15 to 8 units per gross acre and from 24 to 16 units per net acre and add the limited standards for this use; and to retain the separation requirement instead of removing it as the staff recommended. Further discussion included a desire to have had an input from the Affordable Housing Task Force, the influences set the densities for this amendment, and the affordable housing bonus would double the density set by this amendment. **The motion was carried (FOR: Abney, Ciehanski, Jenkins, Johnson, Keyserling, Mike & Zara; AGAINST: Goode).**

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO) to add the proposed Rural Business District zoning:

Mr. Criscitiello briefed the Commissioners and noted his involvement began when the owner of Sea Island Tile on Lady's Island asked for relief as an existing nonconforming business because of the 1999 County rezoning. The Comprehensive Plan contemplated the need to promote more business opportunities in rural area through a Rural Business option.

- A. Sets purpose and development standards for new Rural Business District for intersections of U.S. 21 & U.S. 17/Gardens Corner, U.S. 21 & Keans Neck Road/Lobeco, U.S. 21 & Bruce Smalls Drive/Grays Hill, U.S. 21 & Eustis Landing Road/Eustis, and U.S. 170 & Callawassie Road/Callawassie:
1. Article IV: Table 106-0922, Zoning Districts; and Division 4, Rural Investment Areas, Sec. 106-1025, Rural Business (RB) District;
 2. Article V: Table 106-1098, General Use Table; and Division 2, Limited and Special Use Standards, Sections. 106-1284 through 106-1290;
 3. Article VI: Table 106-1526, Open Space and Density Standards; Table 106-1556, Lot & Building Standards; Table 106-1617. Bufferyard and Tree Standards; and Table 106-1711, Exterior Storage and Illumination Standards; AND,
 4. Article VII: Table 106-1782, Resource Protection Levels, and Table 106-1814, Base Site Area and Total Protected Resource Land

Mr. Williams indicated that existing commercial businesses would be conforming uses in the proposed Rural Business Districts. Limited in-fill development will be allowed.

PUBLIC COMMENT:

1. Mr. Harold Albergotti, a Gardens Corner resident whose family has lived in the area since 1731, wants to be afforded the opportunity to plan his community as Dale, Lobeco and Stuart Point did. Additionally, during evacuations people will not be stopping to use the businesses along the highway.
2. Ms. Alice Jones Busby has been working with the Lobeco community preservation group. She and other business owners in Lobeco were not included in the Rural Business District, and should have been consulted regarding the text amendments. We've had our business for 20 years and the zoning ordinance has really hurt us. Additionally, businesses create revenue for the county through a multitude of taxes, there's more than one way out of Beaufort County during evacuations, and the seafood industry is not like a chicken farm.
3. Ms. Sally Murphy, a resident of Sheldon, noted that several citizen working groups met after the passage of the Comprehensive Plan to work on the ZDSO. She served on the Mapping Group and the Rural Business District was not mentioned in the Comprehensive Plan, the ZDSO, or during discussion times of her work group. Rural development and rural business districts seem oxymoron and counterintuitive. Her working group was advised to keep the density and business areas away from the hurricane evacuation routes. This amendment may be contrary to the safety and concerns of the emergency preparedness personnel who advised her work group.

4. Councilman Bill Ladson stated that there are CP (Community Preservation) Districts going on right now, like Stuart Point/Seabrook. He did not know the status of the Lobeco CP District, but believed that the community was compiling information and their efforts to work with the Planning staff have not been successful. He has asked for the real definitions of CP and Rural Residential Districts and how they would apply to the Lobeco residents and has not received a response from Mr. Criscitiello. The rural business districts are a steering mechanism from the CP Districts. He submitted a petition for Mr. Woodrow Daniels that opposes the Rural Business Districts. Mr. Ladson is against the idea of a Rural Business District in the Garden's Corner area. He appealed for the removal of this item from the agenda until the CP Districts are straightened out. There's no big rush for Rural Business District.
5. Ms. Wendy Zara, a Sheldon resident, noted that the current planners were not part of the Comprehensive Plan and the ZDSO processes. There was no mistake that RB districts were not formed then. The ZDSO is a performance zoning document that allows for multiple uses in the zoning districts, commercial uses in Rural Districts, and affordable housing options. Kellerco, the transportation consultant for the Comprehensive Plan, recommended discouraging strip commercial along Highway 21 as a public safety measure. This amendment recommends intense uses at the most congested intersection in the Northern area of the County. The ZDSO addresses the destruction of and the ability to continue operating non-conforming businesses. Her concerns included commercial uses with a 10,000 square-foot building, allowing commercial regional uses, not having a traffic impact analysis requirement, lot and building standards should mimic residential uses, and the reduction of highway corridor overlay setbacks and bufferyards. She disagrees with the cottage industry changes since Industrial Parks are intended for non-owner businesses in non-Rural Districts. Eliminate uses that have been added to the highway corridor overlay such as seafood and agricultural use, and processing and special use production agriculture like chicken and hog farms. Exclude nuisance uses such as smelting and recycling. As asked by Ms. Elizabeth Campbell, the largest property owner in Garden's Corner, who was unable to be at this meeting, Ms. Zara is stating for the record that Ms. Campbell and her family are against this amendment. Ms. Zara supports taking gas stations out of Rural Districts.
6. Mr. Jim May owns property in one of the proposed rural business districts. This amendment has taken 2 years to come to fruition and was not just thought of recently. Mr. May commended Mr. Williams' work on this amendment. Mr. May's commercial property was changed to residential during the 1999 rezoning process and he believes it was a mistake. He does not see how evacuation routes and strip businesses along the road could cause problems. Being an existing nonconforming business is not acceptable to Mr. May. He applauds the staff's efforts to make his business a conforming use, as it was when he purchased it.
7. Mr. John Stratos asked for clarification on the process of this proposed amendment and the criteria used to designate the areas. (Mr. Williams explained the criteria used.) Mr. Stratos wants to include his property in the Rural Business District, since some adjacent properties that do not contain existing businesses

have been included in the proposed Rural Business District. (Chairman Hicks and Mr. Zara clarified the reasoning for the boundaries.) Mr. Stratos echoed Mr. Albergotti's request of the Garden's Corner property owners creating their own destiny.

8. Mr. Frank Mullens asked how the Rural Business district differs from the Lobeco CP District. (Mr. Williams explained the difference.) Mr. Mullens noted his property on Fertile Road was rezoned to Neighborhood Commercial in 1997, but the Comprehensive Plan (actually the 1999 ZDSO) removed that zoning. He would like to be included in the Rural Business District as an existing business. Additionally, he noted that the Comprehensive Plan should not be used to scare people. Learn to live with what is here, we can't keep the rural as it was. We have to live with the world as it is in the present.
9. Mr. Jim Mullens is an adjacent property owner to Mr. Frank Mullens and an owner of a trucking company. Mr. Jim Mullens was told by former planners (Mr. Larry Fry and Ms. Miki Schneider) that they would try to develop a plan that would include his business and Lobeco Products. This conversation stemmed from Mr. Frank Mullens' rezoning request, and the plan did not come to fruition. Mr. Jim Mullens wants to be included in the Rural Business District. He asked when the informal meetings would meet to discuss this issue.

Note: The audience was informed of the Northern Beaufort County Subcommittee scheduled meetings date and of the Planning Department's subscription process regarding subcommittee and Commission meeting agendas.

Note: Chairman Hicks recessed the meeting at approximately 8:07 p.m. and reconvened at approximately 8:12 p.m.

- B. Article V: Table 106-1098, General Use Table; and Sec. 106-1218, Cottage Industry (permits cottage industries as special uses in Rural and Rural Residential Districts, deletes minimum site area requirement of 10 acres for this use, and adds special use standards for cottage industries)

Mr. Criscitiello briefed the Commissioners. Because of business license considerations, several individuals have discovered they are non-conforming and this amendment would affect their circumstance positively. This amendment is tied to the Rural Business Districts text amendments.

Public Comment: Ms. Wendy Zara asked that the owner occupancy requirement not be removed. She noted that the common thread for home businesses, home occupations and cottage industries was the owner occupancy requirement. It was meant to prevent people placing light industrial uses in residential areas. Some uses in the proposed cottage industry text amendments are industrial uses. (Mr. Williams clarified that the only area where an owner occupancy is not required is in the Rural Business Districts.) She noted the Sheldon Academy issue of a cabinet making shop that is now a smelting and salvage business and the considerable vacancies in the existing industrial parks. (Mr. Williams asked that Ms. Zara identify the industrial uses in the proposed text amendment.) She

stressed the importance to exclude nuisance uses such as recycling, smelting, poultry, etc.

- C. Article V: Table 106-1098, General Use Table (changes general auto repair & gas convenience marts from limited uses to prohibited uses in Rural District)

Mr. Criscitiello briefed the Commissioners that this amendment was also tied to the Rural Business Districts text amendment.

Public Comment: None were received.

Chairman Hicks recommended hearing further public comments at the subcommittee meetings before the Commission made its recommendation to County Council. He suggested contacting the media regarding the subcommittee meetings.

Mr. Criscitiello briefed the Commissioners. This district is recommended in the Comprehensive Plan.

OTHER BUSINESS: Chairman Hicks noted that the Planning Commission Subcommittees would receive public comments on the rural business amendments during their respective May 2001 meetings. He noted that property owners wanting to be included would create a sprawl issue and a clear definition on property selection for these districts would be required. Discussion included the cause and effects of Rural Business Districts to CP Districts, transportation concerns, a recommendation for a cloverleaf for the Highways 17 and 21 intersection, the Big Estates CP district and how it will be affected by the commercial development in Garden's Corner, supporting Rural Business District after the fulfillment of the objectives for CP Districts and transportation planning on Highway 21, funding CP plans in the County's Capital Improvement Plan/CIP process, the timeliness of the Rural Business text amendments, the Commission's obligation to hear public comment, the undeveloped Callawassie area and the commercial zoning of the Jasper County portion of the area, the promises to the public that this amendment would be heard at the subcommittees, supporting existing businesses status in rural business districts, development of text amendments and how it affects the surrounding areas, anticipating annexations to the municipalities rather than going through the special use process, conflicting reasoning on the boundaries, the purpose statement which notes the restriction of the Rural Business boundaries, the rural business areas not included the CP areas, the proliferation of CP Districts, coordinating the CP Districts, and a survey of business pockets that are not covered by Rural Business Districts.

Ms. Wendy Zara noted that the CP Districts were existing communities that were designated for in-fill and not new development.

ADJOURNMENT: Ms. Ciehanski made a motion, and Ms. Jenkins seconded, to adjourn the meeting. The motion was carried unanimously (FOR: Abney, Ciehanski, Goode, Jenkins, Johnson, Keyserling, Mike & Zara). Chairman Hicks adjourned the meeting at approximately 8:35 p.m.

SUBMITTED BY:

Barbara Ann C. Childs, Admin. Assistant to Planning Director

Jim Hicks, Chairman, Beaufort County Planning Board

APPROVED: