

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, August 7, 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
Mr. John Abney
Mr. Jerome Goode
Mr. Paul Keyserling

Mr. Ben Johnson, III, Vice Chair
Ms. Nancy Ann Ciehanski
Ms. Margie Jenkins
Mr. Mike Zara

MEMBERS ABSENT: Mr. Thomas Mike, Sr.

EX-OFFICIO MEMBERS PRESENT: None

STAFF PRESENT:

Mr. Anthony J. Criscitiello, Planning Director
Ms. Delores Frazier, Long-range Manager
Ms. Barbara Childs, Admin. Assistant to Planning Director

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:05 p.m.

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

REVIEW OF MINUTES: The minutes of the July 3, 2001, Commission meeting were reviewed. A correction was noted on page 4, Other Business, to change a part of the first sentence to read: "...consensus to discuss additions, deletions and consolidations to the Community Preservation Districts..." **MOTION: Mr. Zara made a motion, and Ms. Ciehanski seconded, to accept the amended minutes of the July 3, 2001, meeting. The motion was carried (FOR: Ciehanski, Goode, Jenkins, Johnson, Keyserling, and Zara; ABSTAINED: Abney).**

CHAIRMAN'S REPORT: No report was given.

PUBLIC COMMENT: No comments were received.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE I, SECTION 106-18, DEFINITIONS (to amend the definition of “building height” and how height is measured)

Chairman Hicks noted that the staff had asked that this item be withdrawn from tonight’s agenda. The staff will be coordinating with the fire departments on this item. Public comment will be taken since this item was advertised in the newspapers.

Public Comment: No comments were received.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V: TABLE 106-1098, GENERAL USE TABLE; AND SECTION 106-1158, CLEARCUTTING (to amend clearcutting regulations)

Mr. Criscitiello briefed Commissioners. The Planning Committee, at its June 21, 2001, asked the Commission to consider a text amendment requiring property owners to wait one year after clearcutting before development can occur on the property. Currently, property owners are clearcutting to avoid the County’s tree protection requirements since the state law exempts commercial timbering from County zoning regulations.

Public Comment: Ms. Patty Richards of the Coastal Conservation League voiced her support on the text amendments. After explaining the clearcutting loophole landowners have been using, she asked for a longer waiting period instead of the recommended one year. She urged closing the clearcutting loophole.

Discussion included the rationale in removing the 8-inch caliper requirement, concern that cultivation as an agricultural use would provide a loophole, the 10,000-square foot threshold requirement for farms, enforcement concerns, the clearcutting permitting process, concern as to the effectiveness of the 1-year requirement between clearcutting and development or increasing the requirement to 3 to 5 years, the landscape requirements to replace clearcutted trees during the development process, giving prospective developers an analysis on clearcutting and development requirements, and roll-back taxes.

MOTION: Mr. Zara made a motion, and Mr. Keyserling seconded, to recommend approval of the text amendments to the Beaufort County Zoning & Development Standards Ordinance, Article V: Table 106-1098, General Use Table; and Section 106-1158, Clearcutting (to amend clearcutting regulations), with an additional recommendation that staff provide information to clearcutting applicants on the benefit of maintaining the landscape instead of clearcutting. Discussion included clarification of the motion. The motion was carried (FOR: Abney, Ciehanski, Goode, Jenkins, Johnson, & Zara; AGAINST: Keyserling).

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE VI: TABLE 106-1526, OPEN SPACE & DENSITY STANDARDS; AND TABLE 106-1556, LOT & BUILDING STANDARDS (to change minimum site area, minimum lot area, and maximum height requirements in Rural districts)

Public Comment: None was received.

Mr. Criscitiello briefed the Commissioners. The Planning Commission, during its May 2001 meeting, recommended approval of this item to the Planning Committee. Staff was asked by the Planning Committee to do further analysis. The Planning Committee returned this item to the Planning Commission for its recommendation.

Discussion included:

- clarification on use changes, and minimum lot size requirements for local utilities and residential uses;
- concern for reduction of minimum lot requirements for waste transfer stations, agricultural support services and local utilities, and no minimum lot size for outdoor recreational uses;
- DRT recommendations on the uses allowed in the Rural District;
- requiring waste transfer stations, general auto repair shop and gas-convenience marts in residential areas as special uses with a level of performance criteria for noise, light and setbacks;
- the public works dilemma to locate new waste transfer stations because of NIMBY (not in my back yard) and LULU (locally unwanted land use) attitudes;
- Beaufort-Jasper Water-Sewer Authority's opinion on the excessive 10-acre requirement for pump stations;
- the natural disaster scenario for waste transfer stations; and,
- a recommendation to consider long-term leases with farmers to act as temporary storage site during natural disasters.

MOTION: Mr. Keyserling made a motion, and Ms. Ciehanski seconded, to delay for 30 days a decision on the text amendments to the Beaufort County Zoning & Development Standards Ordinance, Article VI, Table 106-1526, Open Space & Density Standards; and Table 106-1556, Lot & Building Standards, that change minimum site area, minimum lot area, and maximum height requirements in Rural districts, in order to: 1- have Public Works Director, Mr. Chris Eversmann, come to the September 2001 Commission meeting to discuss the 5-acre minimum lot requirement for waste transfer stations, and 2- have staff consider the appropriateness of special use with performance standards for uses such as waste transfer stations, gas convenience stores, and auto repair shops. Discussion included clarification of the motion. The motion was carried (FOR: Abney, Ciehanski, Goode, Jenkins, Keyserling, & Zara; AGAINST: Johnson).

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V: TABLE 106-1098, GENERAL USE TABLE; AND SEC. 106-1218, COTTAGE INDUSTRY

Mr. Criscitiello briefed the Commissioners. Ms. Frazier noted 2 concerns: adding *hours of operation* & *and a* minimum 10-acre requirement for cottage industries.

Public Comment: None were received.

Discussion included having the subcommittee meet to resolve concerns and placing the item on the September 2001 Planning Commission agenda.

Note: Chairman Hicks recessed the meeting at 7:03 p.m. and reconvened the meeting at 7:13p.m.

COMMUNITY PRESERVATION DISTRICTS: CONSOLIDATION, DELETIONS AND ADDITIONS

Mr. Criscitiello briefed the Commissioners. Chairman Hicks noted that the Lobeco community presented a petition at last month's Commission meeting to be considered as a community preservation/CP area.

Public Comment:

1. Ms. Alice Jones, a part of the Lobeco group, wants the petition to be included on the Northern Beaufort County Subcommittee agenda. She described her community as having the requirements of a CP area.
2. Ms. Julia Dawson, a Lobeco landowner, wants the opportunity to plan her community.
3. Mr. Frank Mullens noted the Lobeco citizens' desire to be a CP area. He noted concerns regarding requiring 1 house per 3 acres in the current rural zoning. He asked for the Commissioners help to designate Lobeco as a CP area.
4. Mr. Claude McLeod, a Seabrook resident and a Lobeco landowner, believes that an oversight was made when Lobeco was not designated as a CP area. He asked that Lobeco be allowed to plan their community.
5. Mr. Jim Mullins, a Lobeco landowner, concurs with the previous speakers. The Lobeco residents should have some control over the destiny of their area.
6. Mr. Willis Daniel, a Lobeco landowner, asked for clarification of the CP designation. He noted that the Rural Residential/RR designation seemed better than CP. He would like to see a Lobeco CP plan before obtaining the CP designation. He noted confusion on the pros and cons of Lobeco as a CP area.
7. Ms. Harriet Tims, a Lobeco resident, noted the incongruities on the mapping. She is unable to give her children some of her land because of the zoning requirements. She noted that outside forces were trying to influence decisions that should be made solely by the residents. She realizes that Lobeco is the entrance to Beaufort. She noted various business, churches, etc. in Lobeco. We are a community.
8. Ms. Susan Palmer, a Lobeco property owner and resident, wants to have her say in community development in Lobeco. Let the community have a say in the quality of life in Lobeco. She believes growth will occur in Lobeco.
9. Pastor Woodrow Daniels Jr. noted the community wanted to have rights regarding their community. The community is divided. The Lobeco CP petition contains names of people who do not live in Beaufort. He noted that scare tactics are being used regarding obtaining signatures on the petitions.
10. Ms. Mamie Clark does not believe division exists in Lobeco. She wants to keep the community just as it is.
11. Mr. Woodrow Daniels Sr., a Lobeco resident since 1946, has seen great changes in the community. He likes it the way it is. He noted the confusion caused by outside influence. He does not understand the CP designation and asked for clarification. Lobeco wants to be able to develop their own community. He is satisfied with what they have. He does not approve of gated communities; he enjoys the present rural living.

12. Mr. Gerald Dawson, a former Planning Commissioner, noted a concerted effort by certain individuals to insure that communities north of the Whale Branch do not develop. The Lobeco CP petition was circulated among the community. Supposedly a counter petition, which has not been presented as yet, will be used as a delay tactic.
13. Ms. Geraldine Dawson, who presented the Lobeco CP petition at the last Commission meeting, noted that the community has met over a period of 16 months.

Discussion included the necessity for a CP district criteria and the lack of such a criteria in the Comprehensive Plan, revising interim CP standards, questioning the rationale for designating Sawmill Forest as a CP district, funding concerns, separating the CP process from the CIP process, developing guidelines for CP communities to start planning their own standards; the rationale and process in making Shell Point a CP district, a philosophical debate on County planning with CP areas, the CP process in the Dale and the St. Helena CP areas, the review of the Comprehensive Plan, choosing to wait 1-year for the Comprehensive Plan review or processing Lobeco's CP request as a map amendment, the legal boundaries of Lobeco, and recommending a field trip to the CP areas for the Commissioners.

MOTION: Mr. Zara made motion, and Mr. Keyserling seconded, to recommend no additions nor deletions of Community Preservation districts will occur until the Comprehensive Plan review has been completed and adopted by County Council. Discussion included clear guidance on CP districts, deletion criteria, clarification of Lobeco status. **The motion was defeated (FOR: Johnson, Keyserling & Zara , AGAINST: Abney, Ciehanski, Goode, & Jenkins).**

MOTION: Mr. Abney made motion to recommend how to move forward or not move forward on this item, have public hearing and vote at next month's meeting; but meeting prior to meeting. Discussion included reasoning for against votes of last motion, clarification of motion. **The motion died without a second.**

Further discussion included a decision on the requested Lobeco CP District, setting fair thresholds and criteria for CP districts, using the definition of a CP area found in the Comprehensive Plan, and placing this item back on next month Commission meeting agenda.

OTHER BUSINESS:

Chairman Hicks asked the Commissioners to consider continuing the practice of Ex-officio Planning Commissioners. He asked that they be prepared to make their recommendations at the September 2001 Commission meeting.

ADJOURNMENT: Mr. Goode made a motion, and Ms. Jenkins seconded, to adjourn the meeting. The motion was carried unanimously (FOR: Abney, Ciehanski, Goode, Jenkins, Johnson, Keyserling, & Zara). Chairman Hicks adjourned the meeting at approximately 9:10 p.m.

SUBMITTED BY:

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

Jim Hicks, Chairman, Beaufort County Planning Board

APPROVED:

September 4, 2001

(Additions are *italicized & underlined*; deletions are ~~struck through~~.)