

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, December 4, 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	Ms. Joy Brown Guyer
Ms. Margie Jenkins	Mr. Paul Keyserling
Mr. Thomas Mike, Sr.	Mr. Mike Zara

MEMBERS ABSENT: Mr. Ben Johnson, III, Vice Chair

EX-OFFICIO MEMBERS PRESENT: None

STAFF PRESENT:

Mr. Anthony J. Criscitiello, Planning Director
Ms. Delores Frazier, Long-range Manager

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 November 6, 2001, Commission meeting were reviewed. No corrections were noted. **MOTION: Mr. Zara made a motion, and Ms. Jenkins seconded, to accept the minutes of the November 6, 2001, meeting. The motion was carried (FOR: Goode, Jenkins, Keyserling, Mike & Zara; ABSTAINED: Abney & Guyer).**

CHAIRMAN'S REPORT:

- 1. Introduction of Newest Planning Commissioner:** Ms. Guyer was welcomed. She will fill the seat vacated by Ms. Nancy Ciehanski.
- 2. Election for Planning Commission Officers:** Commissioners are asked to consider candidates for the chair and vice chair positions. Elections will be during the January 2002 Commission meeting.
- 3. 2002 Meeting Schedule:** Commissioners were given the meeting schedules that reflected the additional monthly meetings regarding the revisions to the Comprehensive Plan.

PUBLIC COMMENT: Ms. Wendy Zara asked about the timeframe the public would have to review the Comprehensive Plan revisions before the meeting dates; staff indicated 15 days prior

to the scheduled meeting date. She asked about the status of text amendments for additional standards for drop-off centers; staff is working with Public Works and the amendments are forthcoming.

SOUTHERN BEAUFORT COUNTY REZONING/ZONING MAP AMENDMENT TO THE BEAUFORT COUNTY ZONING MAP: R600-21-8 & PART OF 7B, FROM RURAL-TRANSITIONAL OVERLAY/R-TO TO COMMERCIAL REGIONAL/CR; APPLICANT: MR. ROBERT L. GRAVES

Mr. Criscitiello briefed the Commissioners with the Planning Committee's compromise that would rezone 37 acres from Rural-Transitional Overlay to Commercial Regional and rezone 22.80 acres from Rural-Transitional Overlay back to Rural.

Applicant's Comments: Mr. Lewis Hammet, the applicant's representative, commented on the Planning Committee's compromise.

Public Comment:

1. Ms. Nancy Ciehanski
2. Mr. Bill Marscher
3. Ms. Mary O'Merrick
4. General Howard Davis
5. Mr. Reed Armstrong

All five individuals spoke in opposition to the rezoning. Their concerns were the road system is inadequate for additional commercial development and traffic levels on U.S. 278 are already problematic, that regional commercial development is inappropriate in close proximity to the headwaters of the Okatie River, that the proposed rezoning is inconsistent with the County's Comprehensive Plan, it was an inconsistent if the County allowed regional commercial development on one side of the Okatie river headwaters when we recently purchased Barrel Landing on the other side to prevent development, and that approving additional regional commercial zoning is premature before the final Special Area Management Plan/SAMP report for the Okatie River has been released.

The discussion of the Planning Commissioners echoed the concerns raised during the public comment period. Several Commissioners said that the proposed compromise which would rezone a portion of the applicant's property from Transitional Overlay District back to Rural District would not be enough to mitigate the adverse impacts on transportation and the environment likely to be caused by the regional commercial zoning.

MOTION: Mr. Keyserling made a motion, and Mr. Zara seconded, to recommend disapproval of the Southern Beaufort County Rezoning/Zoning Map Amendment to the Beaufort County Zoning Map for R600-21-8 & part of 7B, from Rural-Transitional Overlay/R-TO to Commercial Regional/C. The motion was carried unanimously (FOR: Abney, Goode, Guyer, Jenkins, Keyserling, Mike and Zara)

**PORT ROYAL ISLAND REZONING/ZONING MAP AMENDMENT TO THE
BEAUFORT COUNTY ZONING MAP: R100-28-120A; FROM SUBURBAN/S TO
COMMERCIAL SUBURBAN/CS; APPLICANTS: JOSEPH MIDDLETON JR.,
KENNETH L. MIDDLETON & GLORIA LYNCH, ET AL.**

Mr. Criscitiello stated that the Port Royal Island Subcommittee at their October 25, 2001, heard the staff presentation and identified some concerns and considerations that needed to be further investigated by the staff. Those considerations were the land use in the area already zoned Suburban Commercial in the node at the corners of Highway 170 and Castle Rock Road, and the wetlands which Mr. Middleton stated completely consumed his property zoned Commercial Suburban on the south side of Highway 170. The staff findings were presented to the Subcommittee on November 19, 2001. While there was no quorum at that meeting, the Subcommittee members present heard and decided to make no recommendation to the full Planning Commission at that time. Mr. Criscitiello then stated that in his opinion the property in the commercial suburban zone is at least half developed with commercial uses and that Mr. Middleton's property is indeed largely undevelopable for commercial suburban uses. Thus, Mr. Criscitiello felt that by expanding the commercial node by 5.41 acres (Mr. Middleton's property) would not actually intensify the commercial development around the Commercial Suburban node and, therefore, would be acceptable as a zoning map amendment. Mr. Criscitiello stated that in his opinion the individual benefit accruing to Mr. Middleton would not be outweighed by the public harm caused by commercial suburban zoning north of Highway 170.

Public Comment: None were received.

Applicant's Comment: Mr. A. Middleton, a representative for the applicant, spoke on Mr. Joseph Middleton's behalf.

Discussion included concurrence with Mr. Criscitiello's opinion in favor of the rezoning, and a recommendation for criteria to gauge when it would be appropriate to rezone property commercial in circumstances like the Middleton rezoning so that arbitrary decisions are not made that differ from one situation to another. Mr. Criscitiello agreed staff working on such a criteria.

MOTION: Ms. Jenkins made a motion, and Mr. Goode seconded, to recommend approval of the Rezoning/Zoning Map Amendment to the Beaufort County Zoning Map for Port Royal Island (R100-28-120A); from Suburban/S to Commercial Suburban/CS. The motion was carried (FOR: Abney, Goode, Jenkins, Mike and Zara; AGAINST: Keyserling; ABSTAINED: Guyer).

NOTE: *Due to an electronic failure, the minutes to this point are from notes taken by Ms. Frazier and Mr. Criscitiello. There is electronic coverage from this point forward.*

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO)

- A. Appendix D, Community Preservation District, Table 4, Community Preservation Use Table; permits Waste Disposal Facilities as interim special uses in the Daufuskie Island CP District and adds special use standards for these facilities.**

Public Comment: None were received.

Discussion included clarification on the amendment.

MOTION: Mr. Keyserling made a motion, and Ms. Jenkins seconded, to recommend approval of the Text Amendments to the Beaufort County Zoning & Development Standards Ordinance (ZDSO), Appendix D, Community Preservation District, Table 4, Community Preservation Use Table to permit Waste Disposal Facilities as interim special uses in the Daufuskie Island CP District and adds special use standards for these facilities. The motion was carried unanimously (FOR: Abney, Goode, Guyer, Jenkins, Keyserling, Mike and Zara)

- B. Article V, Section 106-1397, Temporary Outdoor Sales; adds limited standards for Roadside Stands to address location, access, the sale of items other than produce, and signage.**
- C. Article V, Table 106-1426, Accessory and Miscellaneous Use Standards; permits guest houses as an accessory use on residential lots.**

Chairman Hicks noted that staff asked to remove these two items from the agenda for further study. Mr. Criscitiello clarified that the transportation consultant would consider the threshold levels for these uses before staff reintroduces these amendments for consideration by the Commission.

- D. Article V, Table 106-1426, Accessory and Miscellaneous Use Standards; prohibits barbed wire fences and fences made of discarded material on residential lots in the Rural, Rural Residential and Community Preservation District.**

Mr. Criscitiello briefed the Commissioners that this amendment was a result of complaints from citizens.

Public Comment:

1. Ms. Geraldine Dawson noted that barbed and electric fencing are country uses that are not intended to hurt individuals. She thinks this amendment should be thrown out completely.
2. Ms. Wendy Zara agreed with Ms. Dawson. There is a propensity to impose design standards on everything and that is the antithesis for the rural area. Barbed wire fencing is usually not objected to in rural areas. Leave the fencing just as it is in the ordinance. Also, farmstands are typical for the rural area. They have been there before the busy roads
3. Ms. Alice Jones noted that barbed wire fencing is a way of life in the rural area.

We don't need a fencing standard in the rural area. She has an electric fence around her shrimp pond to prevent stealing her shrimp.

Discussion included rural communities being excluded from fencing requirements, that barbed wire fencing was used to contain farm animals, a clarification of discarded material, limiting the lot size, fencing the lot perimeter instead of the homestead area, the use of electrical fencing, and having staff to study this amendment further.

MOTION: Mr. Mike made a motion, and Mr. Abney seconded, to recommend disapproval of the Article V, Table 106-1426, Accessory and Miscellaneous Use Standards; prohibits barbed wire fences and fences made of discarded material on residential lots in the Rural, Rural Residential and Community Preservation District. The motion was carried unanimously (FOR: Abney, Goode, Guyer, Jenkins, Keyserling, Mike and Zara)

OTHER BUSINESS: Mr. Zara asked the status of the Planned District/PD ordinance. Mr. Criscitiello noted that a public hearing is scheduled before County Council on December 10, 2001. The third and final reading is scheduled for January 2002.

ADJOURNMENT: Ms. Guyer made a motion, and it was seconded, to adjourn the meeting. The motion was carried unanimously (FOR: Abney, Goode, Guyer, Jenkins, Keyserling, Mike & Zara). Chairman Hicks adjourned the meeting at approximately 8:00 p.m.

SUBMITTED BY: _____
Delores Frazier, Long-range Planner Manager

Jim Hicks, Chairman, Beaufort County Planning Commission

APPROVED: **January 3, 2002**