

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, February 3, 2004, in County Council Chambers of the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT:

Mr. Jim Hicks, Chair	Mr. Cecil Martin, Jr., Vice Chair	Mr. Ben Johnson, III
Ms. Joy Guyer	Mr. Alan Herd	Mr. Vernon Pottenger
Mr. Mike Zara		

MEMBERS ABSENT: Mr. Jerome Goode

EX-OFFICIO MEMBERS PRESENT: None

STAFF PRESENT:

Mr. Anthony J. Criscitiello, Planning Division Head
Mr. Robert Merchant, Planning & Research Analyst
Mr. John D. Holloway, Jr., Natural Resource Planner
Ms. Barbara Ann C. Childs, Administrative Assistant to the Planning Director

CALL TO ORDER: Chairman Hicks called the meeting to order at approximately 6:07 p.m.

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

REVIEW OF MINUTES: The January 6, 2004 Commission meeting minutes were reviewed.

Motion: Mr. Pottenger made a motion, and Ms. Guyer seconded the motion, **to accept the minutes of the January 6, 2004, meeting, as written.** The motion was carried (FOR: Johnson, Guyer, Herd, Martin, Pottenger and Zara).

CHAIRMAN'S REPORT: Chairman Hicks noted the passing of Mr. Joe Jessie Altman, a servant of the people.

PUBLIC COMMENT on Non-Agenda Items: None were received.

PORT ROYAL ISLAND REZONING REQUEST/MAP AMENDMENT TO THE BEAUFORT COUNTY ZONING MAP AMENDMENT/REZONING REQUEST FOR R100-27-13 AND 13A (CHEROKEE FARMS, 105 ACRES); FROM RURAL WITH TRANSITIONAL OVERLAY (R-TO) TO SUBURBAN (S); Applicant: Coastal

Contractors Inc. (Timothy Rentz, President), Agent: Yan Seiner of Cardinal Engineering, Inc.

Mr. Criscitiello briefed the Commission. The staff and the Port Royal Island Subcommittee recommend approval of this request.

Public Comment: None were received.

Applicant's Comment: Mr. Tim Rentz noted that his company has been in business for over 50 years and has served predominantly the working person by providing affordable housing. He is hoping to obtain some type of federal funding. The vision for this project is a mixed-income community.

Discussion included the concern raised at the subcommittee committee regarding the Air Installation Compatibility Use Zone (AICUZ) pattern; noise abatement constraints in the project; transportation constraints from the cumulative build-out of Habersham, Burlington and Cherokee Farms; and the developer opting to use a development agreement for this project.

Motion: Mr. Zara a motion, and Mr. Pottenger seconded, **to recommend approval of the Map Amendment/Rezoning Request for R100-27-13 and 13A (105 acres known as Cherokee Farms), from Rural with Transitional Overlay District (R-TO) to Suburban (S).** The motion **was carried unanimously** (FOR: Guyer, Herd, Johnson, Martin, Pottenger and Zara).

Chairman Hicks noted that the Subcommittee asked for and received a "comfort" letter from the Marine Corps Air Station regarding the AICUZ issue.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE/ZDSO, Article II (Administrative Bodies & Agents) and Article III (Administrative Procedures) (streamlines the development review process and adds informative flowcharts)

Mr. Criscitiello briefed the Commissioners. A workshop was held with five commissioners in attendance to discuss the proposed changes, as discussed at the January 6, 2004, Commission meeting. The staff has since made the recommended changes and returned both Articles for action by the Commission. Mr. Criscitiello highlighted the major changes.

Discussion included a recommendation to clarify the meaning of the majority of Development Review Team (DRT) members in Sec. 106-261(b)(3).

Public Comment:

1. Ms. Wendy Zara commended the staff for its work on these two chapters. Overall, the improvements were needed. She reiterated her concern regarding DRT appeals being heard by the Zoning Board of Appeals (ZBOA) instead of the Commission. According to State law and the South Carolina Association of Counties (SCAC) guide, land use appeals should be heard by the Commission and zoning appeals by the ZBOA. She

disagreed with the proposed change in this respect. DRT approvals from unanimous to majority vote should be clarified in writing because she has seen two DRT members making such decisions in the past. She recommended amending the language to “a majority of three out of four”.

2. Mr. Reed Armstrong of the South Carolina Coastal Conservation League also commended the staff effort on these two chapters, especially the community and environmental impact studies requirements. He supports Ms. Zara’s recommendation of specifying the language for a majority of DRT members. He believes the last two sentences in Sec. 106-261(a) should be clarified because they contradict each other—one says all proposals must be in compliance with the ZDSO and the other says only a majority vote of the DRT is needed for its approval. He noted that flow charts in Figures 106-369 and 106-370 should reflect the 30-day appeal. He recommended adequate public input and review prior to decisions being made by the DRT since Sec. 106-261(b)(3) implies a decision is made prior to the public meeting.

Mr. Criscitiello explained the purpose of Sec. 106-261(b)(3) was to inform the applicant of potential areas that should be considered or corrected prior to the scheduled meeting. It is not a pre-decision making process for the DRT members. The public does have input at DRT meetings prior to decision making by the DRT members.

Chairman Hicks noted that the Commissioners at the workshop recommended the staff changes with the following amendments:

1. Table 106-57: **Motion:** Mr. Herd made a motion, and Mr. Pottenger seconded, to recommend approval of the staff recommended changes in Table 106-57 where the Planning Commission authorizes the Zoning Board of Appeals to hear appeals on major and minor subdivision plats and land development plans. The motion was passed (FOR: Guyer, Herd, Johnson, Martin and Pottenger; ABSTAINED: Zara).
2. Sec. 106-261(a) and 106-261(b)(3): Discussion included a clarification on specifying what a majority meant in this ordinance. **Motion:** Mr. Herd made a motion, and Ms. Guyer seconded, to recommend approval of the concept where a majority of DRT members, instead of all, can approve projects, with an addition to read: “a majority of the full development review team.” The motion passed unanimously ((FOR: Guyer, Herd, Johnson, Martin, Pottenger and Zara).

Discussion included having a cost accountant to get a cost breakdown on the fee schedule to insure that the public does not subsidize the ZDSO administrative requirements of the development communities.

Motion: Mr. Herd made a motion, and it was seconded, to recommended approval of Article II (Administrative Bodies & Agents) and Article III (Administrative Procedures) of the ZDSO that streamlines the development review process and adds informative flowcharts, with the above amendment that Sec. 106-261(a) and 106-261(b)(3) reflect the change from “a majority of DRT members” to “a majority of the full DRT.” The motion was passed unanimously (FOR: Guyer, Herd, Johnson, Martin, Pottenger and Zara).

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE/ZDSO, that add definitions and standards for inland water freight transportation to:

- A. Article I, Section 106-18. Definitions**
- B. Article V, Table 106-1098. General Use Table**
- C. Article V, Section 106-1368. Inland Water Freight Transportation**
- D. Article XIII, Table 106-2892(a). Off-Street Parking Requirements for Specific Uses**
- E. Appendix D – Table 4. Community Preservation Use Table**
- F. Appendix D – Section 7(f). Inland Water Freight Transportation**

Mr. Criscitiello briefed the Commission.

Note: Mr. Johnson exited the meeting at 7:20 pm

Public Comment: None were received.

Discussion included a clarification on barge activity for freight only, concerns with the handling of violations,

Motion: Ms. Guyer made a motion, and Mr. Herd seconded, **to recommend approval of the ZDSO text amendments listed in the staff report that add definitions and standards for inland water freight transportation.** The motion was carried unanimously (FOR: Guyer, Herd, Hicks, Martin, Pottenger and Zara)

TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), Appendix I, Lady's Island Community Preservation Area, Division 1, Section 1.5 (Limited and Special Use Standards, Residential Uses) (deletes density requirements that were contingent upon completion of Sam's Point Road improvements)

Mr. Criscitiello and Chairman Hicks briefed the Commission.

Public Comment: None were received.

Motion: Mr. Pottenger made a motion, and Mr. Herd seconded, **to recommend approval** of the ZDSO text amendments to **Appendix I, Lady's Island Community Preservation Area, Division 1, Section 1.5 (Limited and Special Use Standards, Residential Uses) that delete density requirements that were contingent upon completion of Sam's Point Road improvements.** No discussion occurred. The motion was carried unanimously (FOR: Guyer, Herd, Hicks, Martin, Pottenger, and Zara).

OTHER BUSINESS: Rural Business District: Chairman Hicks asked that the Commission be informed of the status of the proposed map and text amendments for the Rural Business District.

ADJOURNMENT: Mr. Pottenger made a **motion**, and Ms. Guyer seconded, **to adjourn** the meeting. The motion **was carried unanimously** (FOR: Guyer, Herd, Hicks, Martin, Pottenger, and Zara). Chairman Hicks adjourned the meeting at approximately 7:33 p.m.

SUBMITTED BY:

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

Jim Hicks, Chairman, Beaufort County Planning Commission

APPROVED:

March 2, 2004 (Note: Deletions ~~are struck through~~ and additions are highlighted and underscored.)