

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, April 5, 2005, at 6:00 p.m. in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**MEMBERS PRESENT:**

Mr. Jim Hicks, Chair	Mr. Alan Herd, Vice Chair	Ms. Diane Chmelik
Ms. Joy Guyer	Mr. Ben Johnson, III	Mr. Cecil Martin, Jr.
Mr. Frank Mullen	Mr. Ronald Petit	Mr. Vernon Pottenger

**MEMBERS ABSENT:** None

**STAFF PRESENT:**

Mr. Anthony Criscitiello, Planning Division Head  
Ms. Delores Frazier, Assistant Planning Division Head  
Mr. Robert Merchant, Long-range Planner  
Mr. Russell Byrd, Current Planner  
Mr. Colin Kinton, Transportation Engineer  
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 March 1, 2005, Commission meeting minutes were reviewed. Mr. Herd recommended changes to the remainder of the second full paragraph of page 4, beginning after the second sentence. The remaining paragraph should read, "However, he has a fundamental problem that, although the Barton's Run density is less than The Farm, the build out is increased from 58 to 70. He stated that for this reason, he can not support the rezoning request from Rural to PUD. He further stated that he also could not support the request until the access easement issue is resolved." **Motion:** Ms. Guyer made a motion, and Ms. Chmelik seconded, **to accept the minutes of the March 1, 2005, meeting, as amended.** The motion **was carried** (FOR: Chmelik, Guyer, Herd, Johnson, Mullen and Petit; ABSTAINED: Martin and Pottenger)

**CHAIRMAN'S REPORT:** Chairman Hicks noted that the Daufuskie Island Community Preservation (CP) District Committee nominations would be taken up under Other Business.

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

**LADY'S ISLAND ZONING MAP AMENDMENT/REZONING REQUEST FOR 18 PARCELS THAT LIE NORTH OF MARSH DRIVE, IMMEDIATELY EAST OF BRICKYARD POINT ROAD AND WEST OF TELFAIR SUBDIVISION; FROM RURAL (R) TO LADY'S ISLAND COMMUNITY PRESERVATION (LICP) DISTRICT; APPLICANT: LADY'S ISLAND COMMUNITY PRESERVATION COMMITTEE**

Mr. Criscitiello briefed the Commission on the request. The Tidal Creek Fellowship (hereafter "Fellowship") representatives met with the Lady's Island CP Committee to request the inclusion of the involved parcels into the LICP District. The LICP Committee recommended this rezoning. As noted at the LI/SHI Subcommittee meeting on March 16, 2005, the rezoning would clash with certain existing lifestyles and involve an increased density.

**Public Comment:**

1. Mr. Donnie Polaski owns two lots and noted his farm and equipment would not be allowed in the CP District. He would like to remain rural. He suggested changing only the church property to CP zoning. He does not see a benefit with changing all the parcels to CP. The density change opposes the rural zoning concept.
2. Ms. Ann Williamson agreed with Mr. Pulaski, even though she would not be impacted as he would. She does not see why the parcels should be rezoned. The change would negatively impact the community and the traffic.
3. Mr. Tim Rentz, an Elder at Tidal Creek Fellowship, stated his church had been looking for property on Lady's Island for a number of years. These two properties are affordable for the 330-member Fellowship. The Fellowship would like to build a 15,000- to 20,000-square foot facility. The Fellowship does not want to stir up ill feelings with the neighborhood. After discovering the parking requirements were not as stringent as originally thought, Mr. Rentz asked for a delay in the request to continue research and to develop a proposed site plan.

Chairman Hicks commented on the intricacies of the rezoning process. He noted that this rezoning request will be withdrawn as requested by Mr. Rentz.

**ZONING MAP AMENDMENTS ON THE FOLLOWING PROPERTIES TO THE RESPECTIVE ZONING DISTRICTS FROM NO UNDERLYING ZONING DESIGNATION; APPLICANT: BEAUFORT COUNTY**

- A. **Hunting Island State Park (R300-27-1, 5000 Acres) in Northern Beaufort County, to Resource Conservation (RC)**
- B. **Burton Wells County Park (R100-27-4, 368 Acres) on Port Royal Island, to Rural with Transitional Overlay (R-TO)**
- C. **Victoria Bluff Heritage Preserve (R600-24-2, 1247.23 acres) in Southern Beaufort County, to Rural (R)**
- D. **Pinckney Island Federal Wildlife Reserve (R600-42-1, 3900 Acres), in Southern Beaufort County, to Resource Conservation (RC)**

Mr. Criscitiello briefed the Commission on the request. The Public Park designation was a land use, not a zoning district. He noted that the County Parks and Leisure Services (PALS) Division

wanted to do something at Burton Wells County Park when they noted the lack of development standards for the above mentioned parks.

**Public Comment:**

1. Ms. Jane Engler thanked the County leaders for preserving land. The Victoria Bluff Heritage Preserve (hereinafter "Preserve") is noted to have numerous ecosystems that are meant to be preserved. Because of the Preserve's close proximity to the Sawmill Creek subdivision, she asks if the Preserve could be zoned community preservation (CP) instead of rural. (Mr. Criscitiello noted that the CP zoning had a higher density than rural, and the rural district was consistent with the surrounding area.) She asks if another solution could be found to keep the area as a preserve.
2. Mr. Jerry Aiman bought property at the Sawmill Creek subdivision because he was told the Preserve would forever be wild. He asked about hunting in the Preserve. He wants the property to remain as it is. (Mr. Hicks noted that all County property must be zoned, but conservation easements take precedent over the zoning. He noted that writing new standards for parks was not an option. The zoning does not supercede the State's easement.)
3. Mr. Roy Graves understood the State controls the Preserve property and he and his neighbors are fearful that the property will not remain as is. Why not write park standards?
4. Ms. Stacy Collins, a Sawmill Creek subdivision property owner, asked if the staff received legal counsel on the legality/necessity of underlying zoning. She asked the staff to write a new zoning district for parks. She asked for absolutely minimal development standards. (Mr. Criscitiello clarified that zoning is currently non-existent and the zoning map and the ZDSO text must agree.)
5. Ms. Geri Graves noted that the Trust for the Preserve was irrevocable. She asked that the staff write a new zoning district for parks.

Discussion by the Commissioners included the density of the Sawmill Creek subdivision, the security of keeping the Preserve as is while zoned rural, clarification on resource conservation zoning, the desire to keep a level of protection for the Preserve, amending the ZDSO for park standards, the rationale for the Burton Wells County Park rezoning to transitional overlay, and amending the resource conservation zoning standards to include the Preserve.

**Motion:** Mr. Johnson made a motion, and Mr. Pottenger seconded, to recommend approval of the rezoning of Hunting Island State Park from no zoning to Resource Conservation (RC). The motion was carried unanimously (FOR: Chmelik, Goode, Guyer, Johnson, Herd, Martin, Mullen and Petit).

**Motion:** Ms. Guyer made a motion, and Mr. Martin seconded, to recommend approval of the rezoning of Burton Wells County Park from no zoning to Rural with Transitional Overlay (R-TO). The motion was carried unanimously (FOR: Chmelik, Goode, Guyer, Johnson, Herd, Martin, Mullen and Petit).

**Motion:** Mr. Herd made a motion, and Mr. Petit seconded, to recommend approval of the rezoning of Pinckney Island Federal Wildlife Reserve from no zoning to Resource Conservation (RC). The motion was carried unanimously (FOR: Chmelik, Goode, Guyer, Johnson, Herd, Martin, Mullen and Petit).

**Motion:** Ms. Guyer made a motion, and Ms. Chmelik seconded, to return the rezoning request of Victoria Bluff Heritage Trust Park to the staff to evaluate the appropriateness of the Preserve into the Resource Conservation zoning district. The motion was carried (FOR: Chmelik, Guyer, Herd, Martin, Mullen, Petit and Pottenger; AGAINST: Johnson & Hicks).

**NOTE:** *Chairman Hicks recessed the meeting at 7:16 p.m., and adjourned at 7:25 p.m. Mr. Johnson and Ms. Chmelik departed the meeting during the recess.*

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN, APPENDIX J, OKATIE HIGHWAY (SC 170) AND WEST FORDING ISLAND ROAD (US 278) JOINT CORRIDOR ACCESS MANAGEMENT PLAN (ADDS A NEW APPENDIX) -- AND -- TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE XIII, SECTION 106-2796(G), ACCESS MANAGEMENT STANDARDS FOR OKATIE HIGHWAY (SC 170) AND WEST FORDING ISLAND ROAD (US 178) -- ADDS NEW STANDARDS**

Mr. Criscitiello briefed the Commission. The access management issue was forwarded by the December 2004 Southern Beaufort County Subcommittee of the Planning Commission. The County Planning and Transportation staff met with Jasper County officials and an informal agreement to cooperate on Highway 170 has been accepted. On March 3, 2005, the Beaufort County Transportation Advisory Group (BCTAG) approved this Plan. The Transportation and Planning staffs recommend that the Planning Commission favorably recommend these text amendments to County Council.

Mr. Merchant noted the two handouts replaced pages in the original Commission packet that reflected the recommended requirement of a 1,000-foot spacing between driveways.

Mr. Kinton briefed the Commission on traffic volumes projected to the year 2020; recommended traffic signalization as the need occurs; and other access management controls such as signal coordination, driveway spacing and geometrics, and alternative access through parallel and frontage roads, backside parcel access and interparcel connectivity. The proposed standards are similar to those for U.S. 278 from McGarvey's Corner to S.C. 46. The Okatie Center area, including the traffic signal at Sun City's RiverBend Subdivision, will be problematic as the area grows and the Transportation staff will be researching solutions such as realigning the interchange ramps and addressing safe access for the Center by limiting turning movements or using jughandles. Connectivity between the Technical College of the Lowcountry (TCL) and the University of South Carolina-New River campuses and back to John Smith Road will relieve traffic off U.S. 278. Implementation will be coordinated with the Town of Bluffton, Jasper County, Lowcountry Council of Governments and Department of Transportation. Despite the

Plan, there will be deficiencies in the Okatie Center area and some solutions may include different uses for traffic signals, the widening of U.S. 278 and S.C. 170, and connectivity in Jasper County to provide alternate routes instead of using U.S. 278 and S.C. 170.

Public Comment:

1. Mr. Bell views the access management plan as visions of grandeur. The plan affects two churches, homes and land valued at millions of dollars. He suggested alternate ways such as placing traffic lights on the road which would resolve the problem for a lot of years. If the area is to retain its rural zoning, the number of homes allowed in the area would not increase dramatically enough to warrant spending the money required to implement the plan. He asked the estimated cost to implement the plan.
2. Ms. Karen Heightman, president of Greater Bluffton Pathways, was pleased to see the 10-foot wide multi-use pathway included in the Plan where connectivity would hopefully occur from the Town of Bluffton to the TCL campus.
3. Mr. Bob Stoothoff, president of Pathways Connect, thanked the Planning and Engineering Departments for including a non-vehicular portion in this Plan. Connectivity between developments should include vehicular and non-vehicular transportation infrastructure. He hoped the spirit of cooperation that resulted in the Robert Smalls Parkway Access Management Plan would continue with this Plan and the entities involved—Jasper County, Town of Bluffton and the County.
4. Mr. Bill Leddingham is concerned with the two-mile road that would affect two churches and the Riverview subdivision. Instead of taxing people for roads we don't need, have a six-lane highway instead. Why place a traffic light on Pritchard Road which is a dirt road? He asked for a review of the plan so the tax burden would not be on the people of the County.
5. Ms. Wendy Zara commended the staff on this plan. Implementation costs would be less expensive than going on as is. She would like to see more definitive terminology than "discourages." If this plan is passed, do not up-zone the surrounding properties.
6. Mr. James Scott asked if the estimated traffic volume shown during Mr. Kinton's presentation represented the current zoning. The Plan looks good, but he recommended that County Council is made aware that the traffic volume was based on current zoning. If growth is not restricted, the road would not be sufficient in 2020.

Discussion by the Commission included clarification of the recommended access locations and terminology, phased-in signalization, driveway linkages and backside accesses, deceleration lane requirements, retrofitting driveways, pedestrian sidewalks along US 278 and SC 170, and the traffic signal at Pritchard Point Road.

Chairman Hicks noted that signalization must meet South Carolina Department of Transportation (SCDOT) volume standards, regardless of our access management plan. Beaufort County and Jasper County staffs have been in conversation regarding this Plan. Adoption by both Counties is the goal.

Further discussion included funding sources, piecemeal connectivity as properties are developed, commending staff for their work on the plan which evolved from rezoning properties to access

management for the area, BCTAG concerns about signal coordination, incremental decisions that lead to implementation of the overall plan, and the widening of SC 170.

**Motion:** Mr. Herd made a motion, and Ms. Guyer seconded, to recommend approval of the text amendments to the Beaufort County Comprehensive Plan, Appendix J, Okatie Highway (SC 170) and West Fording Island Road (US 278) Joint Corridor Access Management Plan, that adds a new appendix. The motion was carried unanimously (FOR: Guyer, Herd, Hicks, Martin, Mullen, Petit and Pottenger).

**Motion:** Mr. Herd made a motion, and Ms. Guyer seconded, to recommend approval of the text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article XIII, Section 106-2796(g), Access Management Standards for Okatie Highway (SC 170) and West Fording Island Road (US 278) that adds new development standards. The motion was carried unanimously (FOR: Guyer, Herd, Hicks, Martin, Mullen, Petit and Pottenger).

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO) REGARDING STANDARDS FOR BODY BRANDING, BODY PIERCING AND TATTOO FACILITIES:**

- A. **Table 106-1098, General Use Table (adds new use and limited standards, and amends use definitions)**
- B. **Sections 106-1216, Home Occupation; and 106-1217, Home Business (amends limited use standards)**
- C. **Section 106-2383, Body Branding, Body Piercing & Tattoo Facilities (adds new use standards)**
- D. **Appendix D, Section 3.1, Home Uses (amends limited use standards)**
- E. **Appendix D, Table 4, Community Preservation (CP) Use Table (amends use and use definitions)**

Mr. Criscitiello briefed the Commission on the additional amendments that were added by the staff.

Public Comment: Mr. Dale Lewis asked for clarification on the home business standards.

Discussion by the Commissioners included clarification of home occupation standards which were more stringent in CPs than other districts.

**Motion:** Mr. Petit made a motion, and Ms. Guyer seconded, to recommend approval of the amendments as written by the staff. Further discussion included clarification of adult uses. The motion was carried unanimously (FOR: Guyer, Herd, Hicks, Martin, Mullen, Petit and Pottenger).

**OTHER BUSINESS:**

1. **Nominations for the Daufuskie Community Preservation (CP) Committee:** Mr. Herd noted three meetings have occurred regarding the Daufuskie CP District. During the meetings there have been references made to those in the "Pink Area" in relation to

the zoning map designation of CPs and the “Green Areas” in PUDs. Mr. Herd and Ms. Guyer selected 11 members to serve on the CP Committee from the 50 applicants--seven are property owners in the pink, two in the green, and two in both the pink and the green areas. The recommended Daufuskie CP Committee members are:

Mr. Chase Allen / pink	Ms. Maria Martin / pink
Mr. Tom Cruise/ pink & green	Ms. Peggy Newman / pink
Mr. Chuck Henry / green	Ms. Cathy Tillman / pink & green
Mr. Chris Hutton / pink	Ms. Sylvia Waffler / pink
Mr. Jeff Jenkins /green	Ms. Yvonne Wilson / pink
Ms. Terri Lundberg / pink	

**MOTION:** Mr. Herd made a motion, and Ms. Guyer seconded, to approve the recommended Daufuskie CP Committee. Discussion included the meeting schedule, the CP process and the CP Committee selection process. The motion was passed unanimously.

- Selling Shrimp from Roadside Stands in the County:** Chairman Hicks asked if the Commission should review the allowed use of selling shrimp at roadside stands in the County. He recommended that staff research the gamewarden and health standards to see if a public health risk existed with this allowed use. He gave a brief history regarding this issue. Discussion included opportunities for roadside stand entrepreneurs, sanitation and spoilage concerns for refrigerated products, regulation and enforcement concerns, the equity of allowing some or all roadside stand products, permitting requirements, the accountability of roadside stand vendors, the legality of roadside stands, restricting the potential livelihood of such vendors, the Lowcountry heritage includes roadside stands, and allowed use in Comprehensive Plan. Chairman Hicks asked for a consensus by the Commissioners for the planning staff to research the public health risk involved in selling shrimp from roadside stands. No opposition was received.
- Rural Business District:** Chairman Hicks noted that the proposed District was tabled by the Commission and he would like the Commission to discuss whether to untable or continue tabling the proposed text amendments that would legalize existing small businesses in the Rural Districts. Discussion will occur during the Commission’s May 2005 workshop.
- Mandatory State Legislation Training for Commissioners:** Applications for such training are available from Mrs. Childs after the Commission meeting tonight.
- Previewing Commission Minutes Prior to Land Management Committee:** In response to a query regarding the Commissioners previewing the Commission minutes before they are forwarded to Land Management, Mr. Criscitiello noted the time constraint between the Commission and the Land Management Committee meetings and he would not wish to place a burden on the staff.

**ADJOURNMENT:** Mr. Petit made a motion, and Mr. Mullen seconded, to adjourn the meeting. The motion was passed unanimously (FOR: Guyer, Herd, Martin, Mullen, Petit and Pottenger). Meeting adjourned at 9:06 p.m.

**SUBMITTED BY:** \_\_\_\_\_  
Barbara Childs, Administrative Assistant to the Planning Division Head

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Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED:**       **May 3, 2005**