

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Tuesday, September 6, 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. Cecil Martin, Jr.  
Mr. Vernon Pottenger

Mr. Alan Herd, Vice Chair  
Mr. Frank Mullen

Ms. Joy Guyer  
Mr. Ronald Petit

**Members Absent:** Ms. Diane Chmelik and Mr. Ben Johnson, III

**Staff Present:**

Mr. Anthony Criscitiello, Planning Division Head  
Ms. Delores Frazier, Assistant Planning Division Head  
Mr. Robert Merchant, Long-range Planner  
Ms. Barbara Childs, Administrative Assistant to the Planning Division Head

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

**REVIEW OF THE MINUTES:** The June 7, 2005, Commission meeting minutes were reviewed. **Motion:** Ms. Guyer made a motion, and Mr. Martin seconded, to accept the minutes of the June 7, 2005, meeting as written. The motion was carried (FOR: Hicks, Guyer, Martin, Mullen and Petit; ABSTAINED: Herd and Pottenger).

**CHAIRMAN'S REPORT:** Chairman Hicks noted that the Northern Regional Plan was underway.

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

**PROPOSED RURAL BUSINESS (RB) DISTRICTS:**

Mr. Criscitiello gave a brief overview of the text and map amendments. He particularly noted the access management requirements that were adopted earlier.

Chairman Hicks said that the Northern Beaufort County Subcommittee would meet again in October 2005 to hear comments from the Lobeco area residents, due to an administrative notification error that gave those residents the wrong date and location for the September 2005 subcommittee meeting. He also noted that the Garden's Corner area would be affected by the South Carolina Department of Transportation (SCDOT) expansion plans for Highway 17.

Public Comment:

1. Mr. Reed Armstrong of the Coastal Conservation League agreed that the boundaries for the Garden's Corner area should be postponed until the SCDOT plans are better defined. He said the main impacts in establishing this special district seem to allow regional commercial retail and light industrial uses in the rural area. Such uses are allowed where infrastructure already exists within priority investment areas. Commercial and retail business are allowed in the rural and a number of community preservation (CP) districts. The intent of the proposed RB districts is to provide goods and services to the local rural residents. Regional commercial and light industrial land uses provide regional types of services. Why we're opening the rural areas to regional uses needs further explanation. Instead of this proposed district, add the types of uses we wish to support in these areas in the existing ZDSO. He noted a possible setback requirement error in Sec. 106-1359 when compared to Table 106-617. Because of the development along Highway 278, learn to say no at times. Consider amending the applicable CP districts to allow the uses meant for the RB districts or locating the RB districts away from the main highways. (Note. Mr. Armstrong gave his comments in written form to Ms. Childs to be included as part of the official record.)
2. Ms. Alice Busby said the Comprehensive Plan wants businesses in developments. The rural area is a neighborhood. We have been left out of everything. My business has existed for 45 years and I've owned it for 21 years. We are not even considered in this RB district. I've not been able to do anything with my business for over 10 years. I can add 15% every five years or 75 square feet. This County has done me a terrible injustice. We bought our property and should be given the right to use our property as we choose.
3. Mr. Jim Mullins runs a small trucking company in the area. He would like to stay in the area. He has worked on numerous road projects in the county in the past 10 years. He started with 1 truck and now has 15. Beaufort County continues to zone him out. He has purchased property in Hampton and Jasper Counties and the Town of Yemassee as options for expansion. He was told that the additional property he purchased in Lobeco would have the required zoning for his business; however, it did not occur. He was included in the proposed Lobeco Community Preservation District that did not get approved. The proposed Rural Business District in Lobeco includes one of three of his properties. He asked that his two properties on Fertile Road be included in the RB District so he can run his business from them and live there as well. He supports the proposed Rural Business Districts.
4. Mr. Claude McLeod, a Seabrook resident, thanked the Commission for including his family's Lobeco property in the RB district. Northern Beaufort County was left out of the loop with the Comprehensive Plan, the Zoning and Development Standards Ordinance (ZDSO). This RB district is County Council's way of encouraging development in Northern Beaufort. He would like to see the inclusion of the following properties—Ms. Busby's Bait Shop, the properties leading up to the funeral home, and Mr. Jim Mullins' two parcels. He sees the RB district as a good start toward implementing the Proz report.
5. Ms. Sally Murphy, a Sheldon resident, is concerned that there are numerous reports that affect the area including the Northern Regional Plan, the Proz report, and the Rural and Critical Land Preservation green print and these reports should be meshed together

before any changes occur. She is not overly opposed to the RB district, but it should be integrated into the other plans. Those who moved into the rural areas make a conscious decision knowing that there is a trade-off to travel further for goods and services. Her worst fear is that the Northern area would look like Bluffton.

6. Ms. Wendy Zara agreed with Ms. Murphy's comments. The RB districts should be considered in conjunction with the Northern Beaufort Regional Plan, not as a piecemeal fix to the Comprehensive Plan. There is plenty of capacity available in the area for permitted commercial uses. She believed that no one was left out of the loop during the Comprehensive Plan process; some may not have had their property zoned as they desired. There was a conscious effort by the community during the Comprehensive Plan process to keep intense uses off the major evacuation route in Northern Beaufort. A corridor access management plan is needed if we are going to allow intense uses in Northern Beaufort County. A traffic impact analysis for each new business is not enough to address frontage roads and interconnectivity of parcels. Zoning does not automatically cause economic development because there are numerous areas zoned Industrial Park that are unoccupied. If the RB Districts are adopted prior to the Northern Beaufort Regional Plan, she suggests that regional commercial retail uses not be permitted, gas stations and gas convenience marts be allowed as special uses only and be subject to the 3-mile rule. She asked that her written comments that were given to Ms. Childs to be included as part of the official record.
7. Ms. Alice Busby noted that Lobecko used to have gas stations and grocery stores. Lobecko need economic development. Some jobs are better than no jobs. With the gasoline costs increasing, people should not be driving far for their needs; instead they should be conserving gasoline. Highway runoff runs into her shrimp ponds.

Discussion by Commissioners included meeting the needs of small businesses by allowing them to park their business trucks in areas other than the industrial park, finding alternatives for locating RB districts since hurricane evacuation routes involving major roads, requiring traffic management to prevent the problems existing on Highway 278, and clarifying pilot plants.

**TEXT AMENDMENTS TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE III, SECTION 106-367(C) APPLICATION FEES (AMENDS FEES)**

Mr. Criscitiello briefed the Commission on the amendments.

Public Comment: None were received.

Discussion by the Commissioners included clarification on the extent of the increases and the 10 or more years since increases had occurred, retaining the increased revenue with the Planning department, a correlation between the increased revenue and funding additional department personnel, justification for the non-increase of certain fees, and the handling of Community Preservation (CP) District text or map amendments recommended by CP Committees.

**Motion:** Mr. Herd made a motion, and Ms. Guyer seconded, **to recommend approval of the Text Amendments to the Zoning and Development Standards Ordinance/ZDSO, Article III, Section 106-367(c) Application Fees, that will amend fees, as was presented by staff.** The motion was carried (FOR: Guyer, Herd, Martin, Mullen and Petit; AGAINST: Pottenger).

*NOTE: Chairman Hicks recessed the meeting at 7:05 p.m., and reconvened it at 7:13 p.m.*

**TEXT AMENDMENTS TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE IV, ZONING DISTRICTS (AMENDS STANDARDS)**

Mr. Criscitiello briefed the Commission on the various recommended changes.

Public Comment: Ms. Wendy Zara commented that the Community Preservation (CP) Districts were intended for minor in-fill development only. The inclusion of larger parcels in the CP areas does not lead to minor in-fill development. She wondered if the wording in Sec. 106-959 had been taken from the Comprehensive Plan. As a purist, the CP Districts should remain as they were intended to be and the wording should not be changed. However, in reality, minor in-fill development was made difficult when most of the CP Districts (with the exception of the Corners Community on St. Helena) were mapped to include larger parcels. She is saddened that the Comprehensive Plan was never, and is still not, given the opportunity to work properly.

Discussion by the Commissioners included the rationale for changing the wording in Sec. 106-959, the clarification regarding transfer of development rights, and a recommendation to change the terminology of urban and suburban.

**Motion:** Ms. Guyer made a motion, and Mr. Pottenger seconded, **to recommend approval of the Text Amendments to the Zoning and Development Standards Ordinance/ZDSO, Article IV, Zoning Districts, that amends certain standards, as was written by the staff.** The motion was carried unanimously (FOR: Guyer, Herd, Martin, Mullen, Petit and Pottenger)

**TEXT AMENDMENTS TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V, SECTION 106-1357(C), LIGHTING (AMENDS LIGHTING STANDARDS FOR COMMERCIAL COMMUNICATION TOWERS)**

Mr. Criscitiello briefed the Commission. He noted that Mr. Gregg Hunt of the County Mosquito Control Division requested the lighting of towers during the daylight hours for safety reasons.

Mr. Hunt noted the number of unlit towers in the County. He recalled two close calls in the two and a half years he has been with the division. He said problems occur because the Mosquito Control aircraft flies at 150 feet and towers below 200 feet currently are not required to be lit.

Public Comment: None were received.

Discussion by the Commissioners include the wording regarding red lighting at night, question the affect of lit towers at beaches on the loggerhead turtles, and recommending sending the amendment to the Marine Corps for their information and comment.

**Motion:** Mr. Petit made a motion, and Ms. Guyer seconded, **to recommend approval of the Text Amendments to the Zoning and Development Standards Ordinance/ZDSO, Article V, Section 106-1357(c), Lighting, which amends lighting standards for commercial communication towers; with the change on the sixth sentence striking the word “should” and replacing it with “will” regarding avoiding the use of red lights.** Further discussion included forwarding the text amendment to the Marine Corps, the handling of any Marine Corps regarding this amendment, and if changing the red light requirement affected any FAA regulations. The motion **was carried unanimously** (FOR: Guyer, Herd, Martin, Mullen, Petit and Pottenger)

**TEXT AMENDMENTS TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, APPENDIX I (LADY’S ISLAND COMMUNITY PRESERVATION DISTRICT), DIVISION 5 (VILLAGE CENTER), SECTIONS 5.4 AND 5.5 (PERMITTED ACTIVITIES AND LIMITED AND SPECIAL USE STANDARDS) -- allows boat sales and service in areas close to the marina**

Mr. Criscitiello briefed the Commission. The County Transportation Engineer supports this amendment.

Public Comment: None were received.

Discussion by the Commissioners included clarification by Chairman Hicks regarding boat sales and service on Lady’s Island, clarification on limiting the use in the Lady’s Island CP district, clarification between limited and special uses, requiring a traffic analysis for potential businesses, and the setbacks for displaying boats for sale.

**Motion:** Mr. Petit made a motion, and Mr. Martin seconded, **to recommend approval of the Text Amendments to the Zoning and Development Standards Ordinance/ZDSO, Appendix I (Lady’s Island Community Preservation District), Division 5 (Village Center), Sections 5.4 and 5.5 (Permitted activities and Limited and special use standards) that allow boat sales and service in areas close to the marina.** The motion **was carried unanimously** ((FOR: Guyer, Herd, Martin, Mullen, Petit and Pottenger).

**OTHER BUSINESS:** Discussion included the Northern Beaufort County Regional Plan would cover a 20 to 25-year timeframe, and clarification on September 2005 subcommittee meetings dates and times.

**ADJOURNMENT:** Mr. Herd made a motion, and Ms. Guyer seconded, to adjourn the meeting. The motion was passed unanimously (FOR: Guyer, Herd, Martin, Mullen, Petit and Pottenger). The meeting was adjourned at approximately 7:52 p.m.

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

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Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED:**      **October 4, 2005**