

The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, June 1, 2009, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Jim Hicks, Chair

Mr. Edward Riley III

Ms. Diane Chmelik

Mr. Robert Semmler

Mr. Ronald Petit

Mr. E. Parker Sutler

**Members Absent:** Ms. Mary LeGree and Mr. Frank Mullen

**Member Vacancy:** One (1) at-large seat formerly held by Mr. Alan Herd

**Staff Present:**

Mr. Anthony J. Criscitiello, Planning Director

Ms. Delores Frazier, Assistant Planning Director

Ms. Barbara Childs, Admin. Asst. to Planning Director

**CALL TO ORDER:** Chairman Hicks called the meeting to order at approximately 6:02 p.m.

**PLEDGE OF ALLEGIANCE:** Chairman Hicks led those assembled in the Chambers with the pledge of allegiance to the U.S.A. flag.

**REVIEW OF MINUTES:** The Commission reviewed their May 4, 2009, meeting minutes.

**Motion:** Mr. Riley made a motion, and Mr. Semmler seconded the motion, **to accept the May 4, 2009, minutes.** The motion **was carried** (FOR: Chmelik, Hicks, Petit, and Riley; ABSTAINED: Semmler and Sutler).

**CHAIRMAN'S REPORT:**

1. **Resignation of Mr. Alan Herd:** Chairman Hicks reported that Mr. Herd notified the Chairman of County Council that he must resign from the Planning Commission for medical reasons.
2. **Absentee:** Chairman Hicks noted the absence of Mr. Frank Mullen from tonight's meeting because of medical reasons.

**PUBLIC COMMENT** for items other than agenda items: None were received.

**PROPOSED COOSAW ISLAND COMMUNITY PRESERVATION DISTRICT:**

- **FUTURE LAND USE MAP AMENDMENT FOR COOSAW AND JUDGE ISLANDS FROM RURAL (R) TO RURAL COMMUNITY PRESERVATION**

- **ZONING MAP AMENDMENT FOR COOSAW AND JUDGE ISLANDS FROM RURAL (R) AND RURAL RESIDENTIAL (RR) DISTRICTS TO THE NEWLY FORMED COOSAW ISLAND COMMUNITY PRESERVATION (CP) DISTRICT**
- **TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX D-- COMMUNITY PRESERVATION (CP) AREAS (ADDS INTERIM STANDARDS FOR THE NEWLY FORMED COOSAW ISLANDS CP DISTRICT)**

Chairman Hicks asked those in the audience if they were from Coosaw Island, and he received affirmative responses. He then asked if they had attended the community meeting where the standards were reviewed and whether their questions were answered at the meeting. The audience indicated that they had attended that meeting and were pleased with the results. Chairman Hicks noted that mapping errors were discovered at that meeting. The Planning Department has asked that the Commission return the proposed Coosaw Community Preservation map amendments to the staff to correct the mapping prior to the Commission giving its final recommendation to County Council.

Public Comment: Mr. Jim Collins, a Coosaw Island resident, asked for a clarification on what would occur regarding the proposed Coosaw Island Community Preservation. He also asked for a timeline to complete the entire process. Chairman Hicks noted that the planning staff would make the map changes, and then Commission would see the new map at its next meeting in July.

Chairman Hicks closed the public hearing and asked for a motion from the Commissioners.

**Motion:** Ms. Chmelik made a motion, and Mr. Semmler seconded the motion, **to return the Future Land Use Map Amendment, the Zoning Map Amendment, and the Text Amendments to the Zoning and Development Standards Ordinance regarding the proposed Coosaw Island Community Preservation District to the Planning staff to correct the mapping errors discovered during the community meeting and to bring forth the corrections to the Commission for its July 2009 meeting.** The motion was carried **unanimously** (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

#### **TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO)**

Chairman Hicks said that these six (6) text amendments that change policy would be addressed individually. He noted that a seventh text amendment was withdrawn by staff for reconsideration.

- **ARTICLE I, SECTION 106-7(1). EXEMPTIONS. CLARIFIES SETBACKS FOR SINGLE-FAMILY HOMES AND PLACES OF WORSHIP ON LOTS OF RECORD.**

Ms. Delores Frazier briefed the Commission. She noted that all the text amendments were recommended by the Development Review Team (DRT) to align with current DRT practices.

Mr. Criscitiello offered that administrative interpretations have been asked in the past, so this amendment was a follow-up of such interpretations.

Public Comment: None were received.

Commission discussion included a clarification on the acronym ROW which meant road right-of-way.

**Motion:** Mr. Semmler made a motion, and Mr. Sutler seconded the motion, **to forward to County Council a recommendation of approval on Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article I, Section 106-7(1) – Exemptions, that will clarify the setbacks for single-family homes and places of worship on lots of record.** The motion was carried unanimously (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

- **ARTICLE II, SECTION 106-261(4). DEVELOPMENT REVIEW TEAM. CHANGES THE POSTING REQUIREMENT FOR AGENDAS PRIOR TO A DRT MEETING FROM FIVE (5) WORKING DAYS TO FIVE (5) CALENDAR DAYS.**

Ms. Frazier briefed the Commission.

Public Comment: None were received.

Discussion included a concern that the reduction of days would be more difficult for the staff to comply, objecting to lowering the notification time, a clarification on notifying adjoining property owners, a clarification on how this lowering would affect those already in the development permit process, a clarification on how an applicant would be deferred, and a clarification that the applicant would be able to ask for a longer period of deferral.

**Motion:** Mr. Petit made a motion, and Mr. Sutler seconded the motion, **to forward to County Council with a recommendation of approval on Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article II, Section 106-261(4) - Development Review Team, that changes the posting requirement for agendas prior to a DRT meeting from five (5) working days to five (5) calendar days.** The motion was carried unanimously (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

- **ARTICLE III, SECTION 106-368 (B). APPLICATION COMPLETENESS REVIEW AND RECOMMENDATIONS. CHANGES THE STAFF REPORT FILING REQUIREMENT PRIOR TO A SCHEDULED DRT MEETING FROM SEVEN (7) WORKING DAYS TO SEVEN (7) CALENDAR DAYS; AND CHANGES THE TIME A STAFF REPORT SHALL BE MADE AVAILABLE TO THE APPLICANT PRIOR TO THE DRT MEETING FROM FIVE (5) WORKING DAYS TO SEVEN (7) CALENDAR DAYS.**

Ms. Frazier briefed the Commission.

Public Comment: None were received.

Discussion included a clarification on the text amendment that affected the staff working process, and a clarification on the current practice which is now being placed in the process.

**Motion:** Mr. Sutler made a motion, and Mr. Semmler seconded the motion, **to forward to County Council with a recommendation of approval on Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article III, Section 106-368(b) - Application Completeness Review and Recommendations. Changes the staff report filing requirement prior to a scheduled DRT meeting from seven (7) working days to seven (7) calendar days; and changes the time a staff report shall be made available to the applicant prior to the DRT meeting from five (5) working days to seven (7) calendar days.** The motion was carried unanimously (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

- **ARTICLE III, TABLE 106-432. TIME LIMITS AND EXTENSIONS. AMENDS THE TIME LIMITATIONS AND EXTENSIONS OF APPROVALS FOR SPECIAL USES AND VARIANCES.**

Ms. Frazier briefed the Commission. She handed out an additional amendment to the Commission for consideration.

Public Comment: None were received.

No discussion occurred.

**Motion:** Mr. Petit made a motion, and Mr. Riley seconded the motion, **to forward to County Council with a recommendation of approval on Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article III, Table 106-432 - Time Limits and Extensions, that amends the time limitations and extensions of approvals for special uses and variances.** The motion was carried unanimously (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

- **ARTICLE VI, TABLE 106-1526. OPEN SPACE AND DENSITY STANDARDS. ADDS A LANDSCAPE SURFACE RATIO (LSR) FOR INSTITUTIONAL RESIDENTIAL IN THE SUBURBAN ZONING DISTRICT.**

Ms. Frazier briefed the Commission. She handed a newer amendment

Public Comment: None were received.

Discussion included a clarification on the Ms. Chmelik commented that >>>.

**Motion:** Mr. Sutler made a motion, and Mr. Riley seconded the motion, **to forward to County Council with a recommendation of approval on Text Amendments to the**

**Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article VI, Table 106-1526 - Open Space and Density Standards that adds a landscape surface ratio (LSR) for institutional residential in the Suburban zoning district.** The motion was **carried unanimously** (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler).

- **ARTICLE VII, SECTION 106-1845(2). BULKHEADS, RIP-RAP AND EROSION CONTROL DEVICES. ADDS THE REQUIREMENT OF A REVEGETATION PLAN FOR ANY DISTURBANCE OF THE RIVER BUFFER.**

Ms. Frazier briefed the Commission.

Public Comment: None were received.

Discussion included a clarification on the native vegetation required by the County for any disturbance of the river buffer, a clarification of the waivers along the buffer lines where native vegetation would be requested, the rationale for requiring native vegetation instead of replanting grass during such disturbances, a comment on damage to salt water vegetation if a barge was used, a clarification of applicability to golf courses in post-hurricane situations, the County's Post-Hurricane Plan, a clarification on how this amendment affected rebuilding damaged single-family homes, and the County's Hurricane Reserve Fund.

**Motion:** Mr. Petit made a motion, and Mr. Semmler seconded the motion, **to forward to County Council with a recommendation of approval on Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article VII, Section 106-1845(2). Bulkheads, Rip-Rap and Erosion Control Devices that adds the requirement of a revegetation plan for any disturbance of the river buffer.** The motion was **carried** (FOR: Chmelik, Hicks, Petit, Riley and Semmler; AGAINST: Sutler).

**OTHER BUSINESS:** With the resignation of Mr. Alan Herd, the Commission Vice-Chair, Chairman Hicks proposed delaying the election of a replacement Commission Vice-Chair until next month when all the Commissioners are present at the meeting. No objections were voiced by the Commission.

**ADJOURNMENT: Motion:** Mr. Sutler made a motion, and Mr. Riley seconded the motion, **to adjourn** the Commission meeting. The motion was **carried unanimously** (FOR: Chmelik, Hicks, Petit, Riley, Semmler and Sutler). The meeting was adjourned at approximately 6:48 p.m.

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

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Jim Hicks, Beaufort County Planning Commission Chairman

**APPROVED: July 6, 2009**