



## MEMORANDUM

**To:** Beaufort County Planning Commission  
**From:** Anthony Criscitiello, Planning Director  
**Subject:** Amendment to the ZDSO  
**Date:** June 23, 2010

---

### STAFF REPORT:

#### A. BACKGROUND:

**Case No.** ZTA 2010-07  
**Applicant:** Christopher Campbell  
**Proposed Text Change:** Amendment would allow 10,000-square-foot variety stores in the Rural Business Districts

#### B. SUMMARY OF REQUEST:

The ZDSO text amendments proposed by the applicant are shown as underlined for additions and ~~struck through~~ for deletions.

#### Section 106-1285. Commercial retail, neighborhood.

(d) *Limited standards for neighborhood commercial retail uses within rural business districts.* Limited standards for neighborhood commercial retail uses within rural business districts are as follows:

- (1) All neighborhood commercial retail uses are limited to 3,500 square feet of floor area except for hardware stores and ~~grocery~~ variety stores which are limited to 10,000 square feet of floor area and grocery stores which are limited to 20,000 square feet of floor area ~~respectively~~. These size limitations may not be used collectively to produce a larger building.

#### C. ANALYSIS:

Section 106-493 of the ZDSO lists 7 standards (below), any of which is cause for a Zoning Text Amendment. Analysis will address all those applicable to the text change request.

---

**Sec. 106-493. Standards for zoning text amendment.**

A zoning ordinance text amendment may be approved if:

**1. It would implement a new portion of the comprehensive plan or amendment.**

(Not Applicable)

**2. It would implement and better achieve the comprehensive plan's goals and objectives that have proved difficult to achieve under the ordinance's existing provisions.**

(Not Applicable)

**3. The ordinance's provisions were inconsistent or unreasonable in light of standards for similar uses.**

The ZDSO allows 10,000-square-foot hardware stores in the rural business district. It can be argued that variety stores are not very different from hardware stores in that they are both retail uses that provide a variety of goods for sale to the general public. However, in the North American Industry Classification System (NAICS), upon which the ZDSO General Use Table is based, while both stores are listed under "Retail Trade," they are separated into two distinct subcategories: hardware stores as "Building and Material Supplies (444130)" and variety stores as "General Merchandise (452990)."

As a practical matter, small hardware stores have given way to "big box" stores such as Lowes and Home Depot, which would not be allowed in rural business districts because of their size. In contrast, smaller variety stores such as Family Dollar and Dollar General have done very well in the current economy and are a viable option to a Wal-Mart or Costco in the more rural areas of the county. If these uses were permitted at 10,000 square feet., for example, four such stores could be built within about a five-mile stretch that includes the Corners Area Market District, the recently rezoned rural business district on St. Helena's Island, the rural business district at the Eustis Community on Lady's Island, and in the Village Center on Lady's Island. On the other hand, it is highly unlikely that four similarly sized hardware stores would locate in these same areas.

Section 106-1025 of the ZDSO (Rural Business District) states that "The rural business district is not meant to promote sprawl by competing with the commercial districts provided for in the priority investment areas. For purposes of this section, this includes all CP districts, whether or not they are located in rural areas. As demonstrated in the previous example on Lady's /St. Helena Islands, allowing 10,000-square-foot variety stores by-right in the rural business district could promote sprawl and compete with other commercial districts. This would be in conflict with this section of the ZDSO.

On the other hand, it seems reasonable to permit these types of stores in areas of the county that are not otherwise served by similar retail uses. In the northern portions of the county, for example, convenience retail stores are few and far between. If this text amendment were

approved, it would be possible that the two rural business districts (Lobeco and Garden's Corner) could each have such a store. The two CP districts for which plans and zoning standards have been developed (Seabrook - Stewart Point and Dale) would not permit a 10,000-square-foot retail building. In the northern part of the county, allowing variety stores within the rural business district would provide retail opportunities to residents while not competing with other nearby commercial districts. To avoid sprawl, a distance separation between two variety stores should be mandated, as is currently the case for gas/convenience stores in the Rural districts.

**4. It is necessary to respond to state and/or federal legislation.**

(Not Applicable)

**5. It provides additional flexibility in meeting the ordinance's objectives without lowering the ordinance's general standards.**

See discussion under item 3 above.

**6. It addresses a new use, changing conditions, and/or clarifies existing language.**

(Not Applicable)

**7. It clarifies the ordinance or makes adjustments to account for interpretation.**

(Not Applicable)

**D. STAFF RECOMMENDATION:**

After review of the guidelines set forth in Section 106-493 of the ZDSO, staff recommends a modification to the requested text amendment as follows. Changes are shown as underlined for additions and ~~struck through~~ for deletions:

TABLE 106-1098. GENERAL USE TABLE

Land Use	Priority Areas							Rural Areas				Additional Standards (See Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
COMMERCIAL USES													
Commercial retail, neighborhood	L	LC	Y	L	N	Y	N	LC	N	L	N	106-1285	<p>The maximum size of any neighborhood commercial retail use shall be 10,000 sq. ft. These uses are retail uses that primarily serve their immediate neighborhoods, and include the following types:</p> <ol style="list-style-type: none"> <li>1. Hardware stores</li> <li>2. Grocery store with general merchandise for resale, with limited uses allowable in CS and CP districts up to 40,000 sq. ft., exclusive of ancillary uses</li> <li>3. Food and beverage stores</li> <li>4. Boutiques, gift shops, antique shops, liquor stores, bookstores and drugstores</li> <li>5. Garden centers</li> <li>6. <u>Variety stores (NAICS 452990)</u></li> </ol>

**Section 106-1285. Commercial retail, neighborhood.**

(d) *Limited standards for neighborhood commercial retail uses within rural business districts.*  
 Limited standards for neighborhood commercial retail uses within rural business districts are as follows:

- (1) All neighborhood commercial retail uses are limited to 3,500 square feet of floor area except for hardware stores and grocery stores which are limited to 10,000 square feet and 20,000 square feet of floor area respectively. These size limitations may not be used collectively to produce a larger building. Variety stores limited to 10,000 square feet are permitted to be located no closer to another similar store than five miles along a public roadway.

**E. ATTACHMENTS:**

- Copy of application for Zoning Text Amendment