



## COUNTY COUNCIL OF BEAUFORT COUNTY

### Community Development Department

Beaufort County Government Robert Smalls Complex  
Administration Building, 100 Ribaut Road, Room 115  
Mailing: Post Office Drawer 1228, Beaufort SC 29901-1228  
Phone: (843) 255-2140 • FAX: (843) 255-9432

### PLANNING COMMISSION

MONDAY, December 3, 2018, 6:00 p.m.

Council Chambers

County Administration Building, 100 Ribaut Road, Beaufort, South Carolina

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place, and agenda of this meeting.

1. COMMISSIONER'S WORKSHOP – 5:30 P.M.  
Community Development Office, Room 115, Administration Building
2. REGULAR MEETING – 6:00 P.M.  
Council Chambers, Administration Building
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MEETING MINUTES FROM NOVEMBER 5, 2018 (BACKUP)
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / SHORT TERM RENTALS: ARTICLE 3, SECTION 3.1.60 (CONSOLIDATED USE TABLE) AND 3.1.70 (LAND USE DEFINITIONS); ARTICLE 4, SECTION 4.1.360 (SPECIFIC TO USE) TO ADD NEW USES CALLED LIMITED HOME RENTAL AND EXTENDED HOME RENTAL
9. NEW/OTHER BUSINESS:
  - A. NEW BUSINESS:
  - B. OTHER BUSINESS: NEXT SCHEDULED REGULAR PLANNING COMMISSION MEETING: MONDAY, JANUARY 7, 2019, 6:00 P.M., COUNCIL CHAMBERS, COUNTY ADMINISTRATION BUILDING, 100 RIBAUT ROAD, BEAUFORT, SOUTH CAROLINA
10. ADJOURNMENT





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**Beaufort County Community Development Department**

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Physical: Administration Building, 100 Ribaut Road, Room 115  
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Phone: 843-255-2140 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, November 5, 2018, in the Beaufort County Community Development Department at 100 Ribaut Road, Beaufort, South Carolina.

**Members Present:**

Mr. Robert Semmler, Chairman	Mr. Ed Pappas	Ms. Diane Chmelik
Dr. Caroline Fermin	Mr. Kevin Hennelly	Mr. Jason Hincer
Mr. Randolph Stewart/Vice-Chairman		

**Members Absent:** Mr. Harold Mitchell, Ms. Cecily McMillan

**Staff Present:**

Mr. Eric Greenway, Community Development Director  
Mr. Robert Merchant, Assistant Community Development Director  
Ms. Melissa Peagler, Long-range Planner, Community Development  
Ms. Diane McMaster, Senior Administrative Specialist, Community Development

**CALL TO ORDER:** Chairman Robert Semmler called the meeting to order at approximately 6:00 p.m.

**PLEDGE OF ALLEGIANCE:** Mr. Semmler led those assembled in the pledge of allegiance.

**REVIEW OF MEETING MINUTES:** The Commissioners reviewed the August 6, 2018, and September 6, 2018, Planning Commission minutes. The following revisions were requested by Commission members:

**August 6, 2018** - Page 2, first paragraph, change “to be a temporary fix ...” to “to be implemented ...” and add clarification regarding status of Passive Park Advisory Body

**September 6, 2018** – Page 6 of 8, first Motion vote count correction **FOR: Hennelly, Hincer, Chmelik, McMillan** **AGAINST: Stewart, Pappas, Semmler, Fermin**

Mr. Semmler requested a Motion to adopt the August 6, 2018, and September 6, 2018, minutes with specified revisions. **Motion: Dr. Caroline Fermin made a motion to approve said minutes and Mr. Ed Pappas seconded the motion. Motion carried unanimously.**

**CHAIRMAN’S REPORT:** Mr. Semmler commented on the Clemson Tigers successful record this season and encouraged everyone to continue supporting the team.

**PUBLIC COMMENT on non-agenda items:** None were received.

**SOUTHERN BEAUFORT COUNTY (ST. HELENA) STREET NAME CHANGE PETITION FROM PEA PATCH ROAD TO PONDEROSA DRIVE; APPLICANT: GREEN ACRES GREENERY, LLC.**

Ms. Elaine Green and Ms. Marianna Knowler explained to the Planning Commission their interest in changing the name of Pea Patch Road.

**Commission discussion** included querying whether the Emergency Management Services (EMS) and the Fire Department had been notified (*Mr. Merchant explained the road renaming process and stated that the EMS Department had already reviewed the Petition. He also stated that Staff could not find any historical significance regarding Pea Patch Road.*) and any historical significance for the current or proposed street name. Ms. Chmelik expressed concern about the proposed name, Ponderosa Drive, because it seemed more appropriate for the western United States rather than the Lowcountry.

**Motion:** Mr. Jason Hinchler made a motion, and Dr. Caroline Fermin seconded the motion, **to approve the Road Renaming from Pea Patch Road to Ponderosa Drive.** No further discussion occurred. The motion carried (6-1--FOR: Fermin, Hennelly, Hinchler, Mitchell, Pappas, Semmler, and Stewart; OPPOSED: Chmelik)

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) /CAMPGROUND STANDARDS: ARTICLE 4, SECTION 4.1.190 (RECREATION FACILITIES: CAMPGROUNDS) TO PROVIDE DISTINCTIONS BETWEEN PRIMITIVE, SEMI-DEVELOPED, AND DEVELOPED CAMPGROUNDS

**Planning Commission general concerns / discussion:** The Planning Commission expressed concern about stormwater design and management, sewage requirements, RV pads-campsite footprint, cap on number of campsites per campground, underground utilities, scope of amenities, overall policing of 30 days or less guideline, business license annual review, traffic volume, parking, design standards, tree preservation, RV size stipulations, and zoning compliance. It was also noted that variance requests would be handled by the ZBOA.

Ms. Peagler stated that Hilton Head National would not be affected by proposed changes. She also stated that Hunting Island would fall into the semi-developed campground category.

Planning Commission – Mr. Kevin Hennelly made a Motion recommending the proposed amendment and Mr. Ed Pappas seconded the Motion. Motion carried with Mr. Randolph Stewart voting no. Mr. Semmler tasked all Commission members to provide additional feedback / questions to Long Range Planner, Melissa Peagler.

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / SHORT TERM RENTALS: ARTICLE 3, SECTION 3.1.60 (CONSOLIDATED USE TABLE) AND 3.1.70 (LAND USE DEFINITIONS); ARTICLE 4, SECTION 4.1.360 (SPECIFIC TO USE) TO ADD NEW USES CALLED LIMITED HOME RENTAL AND EXTENDED HOME RENTAL

Short-term home rentals are defined as individual rentals less than 30 consecutive days. The proposed limited home rental replaces the Bed and Breakfast and requires the property owner to live on premise. Short-term home rentals are not to exceed 72 days during any calendar year. All special use cases are presented to the ZBOA.

Extended home rentals are defined as individual rentals less than 30 consecutive days. The rental duration is more than 72 days but not to exceed 144 days during any calendar year and does not require the property owner to live on premise.

**Planning Commission discussion:** The Planning Commission expressed concerns about parking, handicap accessibility, life safety / liability issues, should rethink the 72 days/calendar year rental, potential for Parris Island graduation rentals-44 weeks/year, eliminate the 144 days/calendar year cap, Commercial Code ramifications, focus on the most applicable zoning districts, public meetings to occur, and the need for business license enforcement.

There was a general consensus regarding short-term rental topic. The Commission felt that initial planning is certainly headed in the right direction, but more research and review must occur in order to communicate more specific recommendations for change before sharing with Natural Resources Committee and County Council. (possible Pilot Ordinance) “What are we trying to do?” 1. protect neighborhoods and 2. assist homeowners/investors with their rental endeavors

**Motion:** Mr. Randolph Stewart made a motion to defer discussion for 30 days, and Mr. Kevin Hennelly seconded the motion. No further discussion occurred. The motion carried with Mr. Ed Pappas voting no.

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / VEHICLE SALES AND RENTAL: LIGHT: ARTICLE 3, SECTION 3.2.100 (T4 HAMLET CENTER STANDARDS) TO ADD VEHICLE SALES AND RENTAL: LIGHT AS A CONDITIONAL USE IN T4 HAMLET CENTER (T4HC)

An application was filed by a Beaufort County resident to allow u-haul sales at a vacant lot within a T4 Hamlet Center area. Mr. Robert Merchant explained the original purpose of the area was to promote walkability and limit commercial development. Examples of other similar zoning within the County: Burnt Church Road, Corners Center-St. Helena, Shell Point-Port Royal, Village Center-Lady's Island  
*Staff's recommendation: This is not a change consistent with the zoning district.*

Planning Commission – Mr. Kevin Hennelly made a Motion to reject the change and Mr. Randolph Stewart seconded the Motion. No further discussion occurred. Motion carried unanimously.

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / SMALL TIDAL CREEKS: ARTICLE 4, SECTION 4.2.190 (WATER/MARINE-ORIENTED FACILITIES) TO PROVIDE A DEFINITION OF SMALL TIDAL CREEKS

The purpose of the Amendment is to define small tidal creeks. SC DNR classifies bodies of water 100 meters or less in width, measure marsh bank to marsh bank, as tidal creeks.

It was noted the Community Development Director has the right to request a survey at the property owner's expense. The State of SC regulates development activity in tidal creeks.

Planning Commission – Ms. Diane Chmelik made a Motion to recommend approval of the new wording and Mr. Jason Hincer seconded the Motion. No further discussion occurred. Motion carried unanimously.

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / COMMERCIAL SUBDIVISIONS: ARTICLE 6, SECTION 6.1.30 (TYPES OF SUBDIVISIONS) TO MODIFY THE REQUIREMENTS TO ALLOW COMMERCIAL SUBDIVISIONS IN ALL ZONING DISTRICTS THAT ALLOW COMMERCIAL USES

The proposed wording responds to current trends allowing more flexibility in Commercial Real Estate. The new wording would allow subdividing within the master plan to create separate internal property lines. The change involves original ZDSO wording which tied commercial uses to a particular zoning district.

Planning Commission – Mr. Ed Pappas made a Motion to recommend approval of the new wording and Dr. Caroline Fermin seconded the Motion. No further discussion occurred. Motion carried unanimously.

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / NON-CONFORMING STRUCTURES: ARTICLE 8, SECTION 8.3.40 (NON-CONFORMING STRUCTURES) TO CLARIFY THAT STRUCTURES DAMAGED GREATER THAN 50% OF VALUE SHALL CONFORM TO CURRENT BUILDING CODE STANDARDS BUT NOT ZONING STANDARDS

The proposed wording allows for a more flexible ordinance. The property owner can rebuild within the original footprint regardless of the degree of damage sustained vs current value of the structure. The rebuild must occur within a 6-month period.

Planning Commission – Dr. Caroline Fermin made a Motion to recommend approval of the new wording and Mr. Kevin Hennelly seconded the Motion. No further discussion occurred. Motion carried unanimously.

NEW/OTHER BUSINESS: There were no administrative appeals warranting discussion at the time of the meeting. The 2019 Planning Commission meeting schedule had been reviewed previously. There is one

revision to note regarding the September 2019 meeting date - rescheduled to the 1<sup>st</sup> Thursday of the month due to the Labor Day holiday. The Commission is scheduled to meet the 1<sup>st</sup> Monday for all remaining months in 2019.

Next Commission Meeting: The next meeting is scheduled for Monday, December 3, 2018.

**ADJOURNMENT:** Mr. Jason Hincer made a **motion to adjourn**, and Ms. Diane Chmelik seconded the motion. The **motion carried (7-0-2: FOR: Hincer, Chmelik, Fermin, Hennelly, Pappas, Semmler, and Stewart; AGAINST: None, ABSENT: Mitchell and McMillan)**. Mr. Semmler adjourned the meeting at approximately 8:10 p.m.

**SUBMITTED BY:**

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Diane McMaster, Senior Administrative Specialist

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Robert Semmler, Beaufort County Planning Commission Chairman

**APPROVED: December 3, 2018**

*Note: The video link of the November 5, 2018, Planning Commission meeting is:*  
[http://beaufort.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=4004](http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=4004)