



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

Members:
Robert Semmler, Chairman
Randolph Stewart, Vice Chairman
Diane Chmelik
Caroline Fermin
Kevin Hennesly
Jason Hincer
Cecily McMillan
Harold Mitchell
Ed Pappas

PLANNING COMMISSION
THURSDAY, SEPTEMBER 5, 2019, 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, Administration Building, Room 115
2. REGULAR MEETING – 6:00 P.M.
Council Chambers, Administration Building
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. CITIZEN COMMENTS
6. REVIEW OF MEETING MINUTES FROM JUNE 3, 2019 (backup)
7. CHAIRMAN'S REPORT
8. ZTA 2019-01 TEXT AMENDMENT TO THE LADY'S ISLAND COMMUNITY PRESERVATION DISTRICT (LICP) AND THE LADY'S ISLAND EXPANDED HOME BUSINESS DISTRICT (LIEHB) TO LIMIT RESIDENTIAL DENSITY TO DEVELOPMENTS NOT LOCATED ON PUBLIC SEWER (APPENDIX A, DIVISION A.2 AND A.3). (backup)



9. NEW/OTHER BUSINESS:

A. NEW BUSINESS:

B. OTHER BUSINESS: NEXT SCHEDULED, REGULAR PLANNING COMMISSION MEETING: MONDAY, OCTOBER 7, 2019, 6:00 P.M., COUNCIL CHAMBERS, COUNTY ADMINISTRATION BUILDING, 100 RIBAUT ROAD, BEAUFORT, SC.

10. ADJOURNMENT



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The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, June 3, 2019, in Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman Mr. Harold Mitchell
Mr. Randolph Stewart, Vice Chairman Ms. Diane Chmelik
Mr. Ed Pappas

Members Absent:

Mr. Jason Hinchler Dr. Caroline Fermin
Mr. Kevin Hennelly Ms. Cecily McMillan

Staff Present:

Mr. Robert Merchant, Assistant Community Development Director

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

PLEDGE OF ALLEGIANCE: Chairman Semmler led those assembled with the pledge of allegiance.

CITIZEN COMMENTS: There were none.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the April 1, 2019, meeting minutes. Ms. Diane Chmelik made a motion to accept the minutes as written, and Mr. Randolph Stewart seconded the motion. The motion carried (**FOR: Semmler, Stewart, Chmelik, Mitchell, Pappas; ABSENT: Hinchler, Hennelly, Fermin, McMillan**).

CHAIRMAN'S REPORT: Chairman Semmler noted that the Braves are one game out of first place in the National League East.

NORTHERN BEAUFORT COUNTY MAP AMENDMENT / REZONING REQUEST FOR R100 024 000 078C 0000 (12.21 ACRES AT 19 COVENANT DRIVE, BEAUFORT, SC) FROM S1 INDUSTRIAL TO T2R RURAL; APPLICANT: MR. DEAN WILLIAMS

Mr. Robert Merchant, Beaufort County Community Development Deputy Director, presented the property information to the Commission. Mr. Merchant stated that the property is located in the Burton area, south of Bay Pines Road. The map amendment/rezoning request involves approximately 6.1 acres of the 12.21 acre parcel, now a subdivided lot. Staff supports this down zoning request and views the change as having a very low impact on surrounding properties.

Mr. Dean Williams, the current property owner, spoke to Commission members and explained that the word "cemetery" appears on the property plat, but the church, which owned the property previously, was given a temporary permit to operate and never a certificate of occupancy. Therefore, to his knowledge, the cemetery site was never utilized.

Chairman Semmler asked for a motion regarding the 19 Covenant Drive rezoning request. Mr. Ed Pappas made a motion to approve the request noting a concern as to whether a cemetery actually exists, and Ms. Diane Chmelik seconded the motion. There was unanimous approval for the motion.

COMPREHENSIVE PLAN UPDATE:

Mr. Robert Merchant gave a brief overview for the 10-year update to the Comprehensive Plan. There is currently a coordinated planning effort amongst Beaufort County, Town of Bluffton, and Town of Port Royal regarding the update process. Beaufort County sent a request for qualifications the second week of May, and five (5) consulting firms have shown an interest in the project. By mid-June, a selection committee will begin to interview those firms who have responded. A contract recommendation and scope of work will be presented before Beaufort County Council in August with the project kickoff slated for September 2019. The goal is to have the first draft of the updated Plan completed by June 2020.

NEW/OTHER BUSINESS:

Other Business: The next regularly scheduled Planning Commission meeting will be Monday, October 7, 2019, 6:00 p.m., Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, SC.

ADJOURNMENT: Chairman Semmler entertained a Motion to adjourn the meeting at approximately 6:36 p.m. Mr. Harold Mitchell made a motion, and Mr. Randolph Stewart seconded the motion, to adjourn the meeting. All Commission members in attendance were in favor of adjournment.

SUBMITTED BY:

Diane McMaster, Community Development Senior Admin Specialist

Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: September 5, 2019



MEMORANDUM

To: Beaufort County Planning Commission
From: Robert Merchant, AICP, Deputy Community Development Director
Subject: Text amendment to the Lady's Island Community Preservation District (LICP) and the Lady's Island Expanded Home Business District (LIEHB) to limit residential density to developments not located on public sewer (Appendix A, Division A.2 and A.3).
Date: September 5, 2019

STAFF REPORT:

A. BACKGROUND:

Case No. ZTA 2019-01
Applicant: Community Development Department
Proposed Text Change: Amend Appendix A of the Community Development Code to limit residential density when public sewer is not available in the Lady's Island Community Preservation District (LICP) and the Lady's Island Expanded Home Business District (LIEHB).

B. SUMMARY OF REQUEST. Both the Community Preservation District and the Expanded Home Business District on Lady's Island allow residential development of up to three dwelling units per acre to occur with no requirement to tap into public sewer. This amendment would limit residential density in these districts to one dwelling unit per two acres for development served by on-lot septic systems. The purpose of the proposed amendment is to manage growth on Lady's Island by encouraging more orderly development patterns. This amendment also promotes environmental health by limiting the proliferation of on-lot septic systems on small lots.

The amendment would do the following in the LICP and LIEHB Districts:

- Limit minimum lot size for minor subdivisions (4 lots or fewer) to ½ acre.
- Limit density of major subdivisions (greater than 4 lots) that are served by on-lot septic systems to one dwelling unit per 2 acres.

The minimum lot size for minor subdivisions provides flexibility for owners of small properties without public sewer access. These owners would otherwise not be permitted to subdivide their properties if an outright density restriction of 1 dwelling unit per 2 acres were applied.

C. LADY'S ISLAND PLAN. This proposed amendment is specifically recommended in the Lady's Island Plan as one component of an overall growth management strategy for the island. The plan raised concern that the amount of growth that could happen under current policies and regulations could exceed the capacity of infrastructure and natural systems on the island. The plan offers the following framework for growth management on Lady's Island:

1. Match provision of sewer or septic to development density.
2. Consider policies and regulations to limit fill dirt.
3. Consider establishment of a Sea Level Rise Overlay Zone.
4. Modify the growth boundary.
5. Monitor growth trends to ensure infrastructure concurrency.
6. Purchase land and conservation easements.

7. Consider other growth management tools.

The Community Development Department is currently working with other local governments and stakeholders to address other items in the list above.

D. ANALYSIS: Sec. 7.7.30(C). Code Text Amendment Review Standards. The advisability of amending the text of this Development Code is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the County Council shall weigh the relevance of and consider whether, and the extent to which, the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Comprehensive Plan:

The proposed amendment is consistent with the goal of the Comprehensive Plan to maintain a distinct regional form of compact urban and suburban development surrounded by rural development for the purpose of reinforcing the valuable sense of unique and high quality places within the region (Land Use Element pg. 4-1). Also, Beaufort County should not target the expansion and location of new regional sewage collection and transmission facilities in rural areas except where a documented public health or environmental safety issue has been identified (Community Facilities Element pg. 11-51). Finally, this amendment implements a key growth management recommendation in the Lady's Island Plan.

2. Is not in conflict with any provision of this Development Code or the Code of Ordinances:

The proposed change does not conflict with any other provisions of the Community Development Code or Code of Ordinances.

3. Is required by changed conditions: Not Applicable

4. Addresses a demonstrated community need: The Lady's Island Plan expresses the need for a clearly defined and coordinated pattern of growth that respects the capacity of the island's infrastructure, public services, and natural resources, including emergency evaluation needs (pg. 31). This amendment would address that need by limiting the density of single family development which will help to establish a more orderly growth pattern.

5. Is consistent with the purpose and intent of the zones in this Development Code, or would improve compatibility among uses and ensure efficient development within the County: This amendment is consistent with the intent of the LICP and LIEHB districts. It is the intent of the LICP to guide residential development in such a manner as to encourage and plan for the availability of public services and infrastructure, and this amendment would align with that purpose. The same standards should be adopted in the LIEHB, as development in this district must blend into and maintain the residential fabric of the area.

6. Would result in a logical and orderly development pattern: See response to Item 4 above.

7. Would not result in adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment: The proposed amendment would not result in adverse impacts on the natural environment.

E. RECOMMENDATION: Staff recommends approval.

F. METRO PLANNING COMMISSION (MPC): This rezoning was reviewed by the Metro Planning Commission at their August 19, 2019 meeting where they unanimously voted to support the staff recommendation.

G. ATTACHMENTS:

- Proposed changes to the CDC
- Map of Impacted Zoning Districts

Lady's Island Community Preservation (LICP)

A.2.50 Conditional and Special Use Standards

This section describes the standards governing conditional and special uses as designated in Table A.2.40.A of this division. These standards are in addition to other standards required elsewhere in the Beaufort County Community Development Code (CDC), but supersede the conditional, special use, and accessory use standards in Article 4 of the CDC.

M. Single-family detached, single-family cluster, and duplexes

a. Major Subdivisions

- i. **With public sewer.** Major subdivisions (see Subsection 6.1.30.B) with public sewer shall have a maximum gross density of two dwelling units per acre and a minimum site area of one acre, as per Table A.2.60.A.
- ii. **Without public sewer.** Major subdivisions without public sewer shall have a maximum gross density of one dwelling unit per two acres.

b. **Minor Subdivisions** (see Subsection 6.1.30.A) without internal streets and served by public sewer shall have a minimum site area of one-half acre, as per Table A.2.60.A.

c. **Single-family clusters and duplexes** are required to be served by public sewer.

A.2.60 Development Standards

Table A.2.60.A Open Space and Density Standards

Residential Type	Minimum open space requirement (% of site area)	Density (per acre)		Wastewater Treatment	Minimum Site Area (acres)
		Max. Gross	Max. Net		
Single-family without sewer	20%	0.5	0.5	OS	0.5
Single-family with sewer	20%	2.0	3.0	OS P	1
Single-family Cluster	35%	2.2	3.2	OS P	5
Duplex	35%	3.0	3.7	OS P	5
Multifamily (mansion apartments and apartment houses)	45%	4.0	3.8	P	15
Traditional Community Plan	See Article 2, Section 2.3.80	3.5	n/a	P	See Article 2, Table 2.3.40
Other Permitted Uses	35%	n/a	n/a	OS	10,000 SF

Table A.2.60.B Lot and Building Standards

Land Use	Minimum Lot Size	Minimum Lot Width	Minimum Setback			Maximum Building Height
			Street	Side Yard	Rear Yard	
Single-family without sewer	21,780 SF	100 feet	20 feet	15 Feet	20 Feet	35 Feet
Single-family	10,890 SF	80 Feet	20 Feet	15 Feet	20 Feet	35 Feet

Lady's Island Expanded Home Business (LIEHB)

A.3.50 Conditional and Special Use Standards

This section describes the standards governing conditional and special uses as designated in Table A.3.40.A of this division. These standards are in addition to other standards required elsewhere in the Beaufort County Community Development Code (CDC), but supersede the conditional, special use, and accessory use standards in Article 4 of the CDC.

G. Single-family detached, single-family cluster, and duplexes

1. Major Subdivisions
 - a. **With public sewer.** Major subdivisions (see Subsection 6.1.30.B) with public sewer shall have a maximum gross density of two dwelling units per acre and a minimum site area of one acre, as per Table A.3.60.A.
 - b. **Without public sewer.** Major subdivisions without public sewer shall have a maximum gross density of one dwelling unit per two acres.
2. Minor Subdivisions (see Subsection 6.1.30.A) without internal streets and served by public sewer shall have a minimum site area of one-half acre, as per Table A.3.60.A.
3. Single-family clusters and duplexes are required to be served by public sewer.

A.3.60 Development Standards

Table A.3.60.A Open Space and Density Standards

Residential Type	Minimum open space requirement (% of site area)	Density (per acre)		Wastewater Treatment	Minimum Site Area (acres)
		Max. Gross	Max. Net		
Single-family without sewer	20%	0.5	0.5	OS	0.5
Single-family with sewer	20%	2.0	3.0	OS P	1
Single-family Cluster	35%	2.2	3.2	OS P	5
Duplex	35%	3.0	3.7	OS P	5
Multifamily (mansion apartments and apartment houses)	45%	4.0	3.8	P	15
Traditional Community Plan	See Article 2, Section 2.3.80	3.5	n/a	P	See Article 2, Table 2.3.40

Table A.3.60.B Lot and Building Standards

Land Use	Minimum Lot Size	Minimum Lot Width	Minimum Setback			Maximum Building Height
			Street	Side Yard	Rear Yard	
Residential without sewer	21,780 SF	100 feet	20 feet	15 Feet	20 Feet	35 Feet
Residential with sewer	10,890 SF	80 Feet	20 Feet	15 Feet	20 Feet	35 Feet
Non-Residential	10,000 SF	60 Feet	30 Feet	10 Feet	20 Feet	35 Feet

