



County Council of Beaufort County Planning Commission Meeting

Chairman

ED PAPPAS

Vice Chairman

RANDOLPH STEWART

Commission Members

DIANE CHMELIK
KEVIN HENNELLY
CAROLINE FERMIN
CECILY MCMILLAN
JASON HINCHER
HAROLD MITCHELL
FRANK DUCEY

County Administrator

ASHLEY M. JACOBS

Staff Support

ERIC GREENWAY
ROBERT MERCHANT
NOAH KREPPS

Administration Building

Beaufort County Government
Robert Smalls Complex
100 Ribaut Road

Contact

Post Office Drawer 1228
Beaufort, South Carolina 29901-1228
(843) 255-2140
www.beaufortcountysc.gov

Planning Commission Agenda

Monday, May 4, 2020 at 6:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05.]

THIS MEETING WILL BE CLOSED TO THE PUBLIC. CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS CAN BE SUBMITTED DURING THE MEETING THROUGH THE COUNTY'S FACEBOOK LIVE STREAM.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. FOIA – PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT.
4. APPROVAL OF [MINUTES](#) - January 6, 2020

ACTION ITEMS

6. **Southern Beaufort County Map Amendment / Rezoning Request** for R600 021 000 0003 0000, R600 021 000 002A 0000, R600 021 000 003A 0000 (approx 4.2 acres at 143 Graves Road, 145 Graves Road, and 147 Graves Road, Bluffton, SC) from T2R Rural to C3 Neighborhood Mixed Use; Applicant: Judy Graves
7. **Northern Beaufort County Zoning Map Amendment/Rezoning Request** for 18.3 acres (R100 024 000 032A 0000, R100 024 000 0276 0000, R100 024 000 030C 0000, and R100 024 000 033A 0000) at the Intersection of Bay Pines Road and Laurel Bay Road from T2 Rural and S1 Industrial to C4-Community Center Mixed-Use District; Applicant: Robert M. Deeb
8. Text Amendment to the Beaufort County Community Development Code (CDC):

Campground Standards: Article 4, Section 4.1.190 (Recreation Facilities: Campgrounds) and Article 3, Section 3.1.60 (Consolidated Use Table) to provide distinctions between primitive, semi-developed, and developed campgrounds.
9. Text Amendment to the Beaufort County Community Development Code (CDC):

Public Service Uses: Article 1, Section 1.3.50 Applicability and Jurisdiction – Exemptions to address County Public Service Uses

CITIZEN COMMENTS

10. CITIZEN COMMENTS (Every member of the public who is recognized to speak shall limit comments to three minutes - Citizens may comment via the County's Facebook Live stream to participate during the meeting.)

11. ADJOURNMENT



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development Department

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

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, January 6, 2020, 6:00 p.m., in Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Ed Pappas, Chairman
Ms. Diane Chmelik
Mr. Kevin Hennelly

Dr. Caroline Fermin
Ms. Cecily McMillan
Mr. Jason Hinch

Mr. Randolph Stewart, Vice Chairman
Mr. Harold Mitchell

Members Absent:

None

Staff Present:

Mr. Eric Greenway, BC Community Development Director
Mr. Robert Merchant, BC Community Development Assistant Director
Ms. Diane McMaster, Senior Administrative Specialist

CALL TO ORDER: Chairman Ed Pappas called the meeting to order at 6:04 p.m.

PLEDGE OF ALLEGIANCE: Chairman Ed Pappas led those assembled in the pledge of allegiance.

CITIZEN COMMENTS: There were none.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the November 4, 2019, meeting minutes. Chairman Ed Pappas entertained a motion to accept the minutes as written. Dr. Caroline Fermin made a motion, seconded by Ms. Cecily McMillan, to accept the minutes as written. There was unanimous support for the motion.

ACTION ITEM

**ZTA 2019-03 TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
ARTICLE 1, SECTION 1.3.50 APPLICABILITY AND JURISDICTION – EXEMPTIONS TO
ADDRESS COUNTY PUBLIC SERVICE USES**

Mr. Eric Greenway explained that the Amendment is “proactive planning” and would allow the County to provide necessary services in any zoning district with the requirement that County Council provide notification and hold a public hearing to approve such use. The purpose of this amendment is to provide greater flexibility for county government to respond to public safety and service needs throughout the county where the needs are warranted.

Chairman Ed Pappas requested a motion to approve the proposed Text Amendment. Vice Chairman Randolph Stewart made an amended motion approving the proposed Text Amendment, limiting action when warranted by extreme conditions or emergency situations only, as deemed by County Council. The amended motion was seconded by Ms. Diane Chmelik. The amended motion passed by a vote of 6:2 (FOR: Chairman Ed Pappas, Ms. Diane Chmelik, Dr. Caroline Fermin, Mr. Jason Hinch, Vice

Chairman Randolph Stewart, and Mr. Harold Mitchell and OPPOSED: Mr. Kevin Hennelly and Ms. Cecily McMillan).

DISCUSSION ITEMS

Mr. Eric Greenway explained that the Work Calendar/Gantt Chart distributed today tracks three (3) initiatives for consideration by the BC Planning Commission in 2020: 1. Impact Fee Study & Adoption and possible amendment to the Capital Improvements Plan; 2. Comprehensive Plan Update which is more critical than before due to an ever changing, low-lying area environment; and 3. Housing Trust Fund, the key to additional attainable housing. Commissioners will discuss these initiatives over the next 12 months and forward their recommendations to County Council for consideration/adoption.

Vice Chairman Randolph Stewart suggested the Commissioners' Workshop be expanded to one-hour sessions beginning February 2020, allowing additional time to address the 2020 initiatives. It was agreed that a separate agenda would be created for the expanded, one-hour Workshops, and a new start time of 5:00 p.m. would be set. As always, Workshops are open to the public.

Chairman Ed Pappas shared with Commission members that he has been appointed Vice Chairman of the Beaufort County Northern Regional Plan Implementation Committee. He also shared that Mr. Jason Hinchey has been appointed to the Beaufort - Town of Port Royal Metropolitan Planning Commission (MPC).

NEW/OTHER BUSINESS:

New Business: None

Other Business: The next scheduled Planning Commission meeting is set for Monday, February 3, 2020, 6:00 p.m., Council Chambers, County Administration Building, 100 Ribaut Road, Beaufort, SC. **Effective** Monday, February 3, 2020, and until further notice, the **Commissioners' Workshop** will begin at 5:00 p.m. in the Community Development Office, Administration Building, Room 115.

ADJOURNMENT: With no further business to discuss, Chairman Ed Pappas adjourned the meeting at 6:46 p.m. All Commission members were in favor of adjournment.

SUBMITTED BY: Diane McMaster
Community Development Senior Administrative Specialist

Ed Pappas
Beaufort County Planning Commission Chairman

Date: _____



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Noah Krepps, Beaufort County Community Development Department
DATE: March 24, 2020
SUBJECT: Zoning Map Amendment/Rezoning Request for 3 parcels (R600 021 000 0003 0000; R600 021 000 002A 0000; R600 021 000 003A 0000) on Graves Road from T2 Rural to C3 Neighborhood Mixed-Use; Applicant: Judy Graves, Kevin Graves, Jan McKim

STAFF REPORT:

A. BACKGROUND:

Case No. ZMA-2020-02
Owner/Applicant: Judy D. Graves; Linda D. Graves and William Kevin Graves; and Janice Anne G. McKim
Property Location: North end of Graves Road adjacent to Okatie River
District/Map/Parcel: R600 021 000 0003 0000; R600 021 000 002A 0000; R600 021 000 003A 0000
Property Size: 4.2 acres
Current Future Land Use Designation: Rural
Current Zoning District: T2 Rural
Proposed Zoning District: C3 Neighborhood Mixed-Use (C3NMU)

B. SUMMARY OF REQUEST:

The applicant requests to change the zoning of 3 parcels making up 4.2 acres at the north end of Graves Road along the Okatie River. The properties are currently zoned T2 Rural (see attached map). The applicant seeks C3 Neighborhood Mixed-Use zoning to match the zoning of the surrounding area.

C. EXISTING ZONING:

All three parcels are currently zoned T2 Rural, which permits residential development at a density of one dwelling unit per 3 acres in addition to agricultural uses and limited retail.

D. PROPOSED ZONING: The Neighborhood Mixed Use (C3) zoning district provides for moderate density residential development, averaging under three units per acre. Densities by use range from 2.6 dwelling units per acre for single family detached and attached, to 12

units per acre for multi-family with a maximum of 80 units. It also allows for limited office/service uses and gas stations.

E. COMPREHENSIVE PLAN FUTURE LAND USE MAP: The parcels are designated as Rural. The Comprehensive Plan states that these areas, situated outside of designated growth areas, should retain their rural character with low-density residential development, supporting small-scale commercial development, and agricultural uses. Future development in rural areas should be similar to the type and mix of land uses currently found in the Sheldon area, St. Helena Island, and along the SC-170 corridor between McGarvey's Corner and the Broad River Bridge. The maximum gross residential density in rural areas is one dwelling unit per three acres. Rural areas should not be targeted with the development of major public infrastructure or the extension of public sewer service, except where a documented health, safety, and/or welfare condition warrants such an expansion.

F. ZONING MAP AMENDMENT ANALYSIS: Section 7.3.40 of the Community Development Code (CDC) states that a zoning map amendment may be approved if the proposed amendment:

1. *Is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code:*

The proposed amendment is not consistent with the future land use map of the Beaufort County Comprehensive Plan, but the parcels are adjacent to an area of Neighborhood/Mixed-Use future land use designation. This designation is consistent with the proposed C3NMU zoning.

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

The proposed amendment is not in conflict with the Community Development Code or Code of Ordinances.

3. *Addresses a demonstrated community need:*

N/A

4. *Is required by changing conditions:*

N/A

5. *Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land.*

The proposed amendment is compatible with existing uses surrounding the land subject to the application. Adjacent properties are zoned C3NMU and are currently single-family developed lots or still vacant land. Berkeley Hall, a private, single-family golf community is located across Graves Road from the subject parcels.

6. *Would not adversely impact nearby lands.*

Properties located to the south of these parcels are zoned C3NMU and would not be adversely impacted by amending the zoning of this parcel. There is also a private, single-family golf community located to the east of the proposed amendment that would not be adversely impacted by the amendment.

7. *Would result in a logical and orderly development pattern.*

See item 6 above.

8. *Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

All three parcels are abutting the Okatie River. There should be no adverse impacts assuming that applicable local, state, and federal environmental protection requirements are met with any future development of the parcels.

9. *Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, storm water management, solid waste collection and disposal, schools, parks, police, and fire and emergency facilities)*

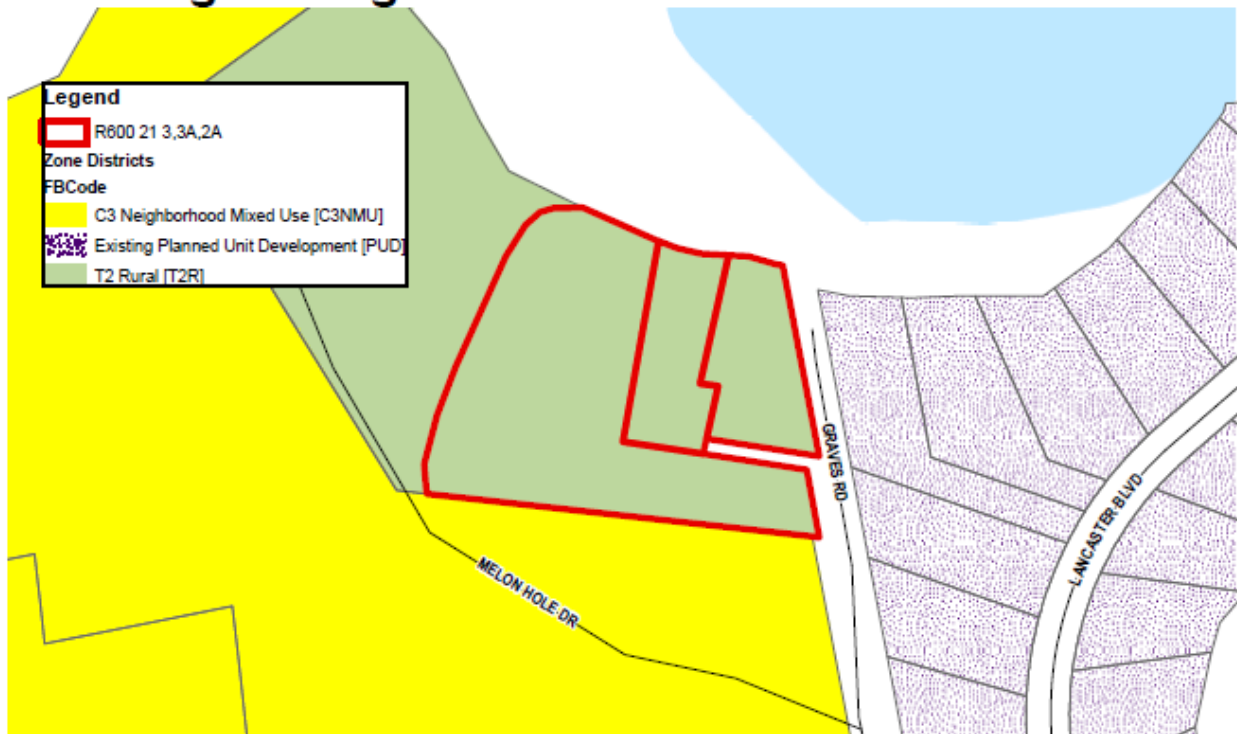
The proposed rezoning is located in close proximity to utilities and public facilities.

G. STAFF RECOMMENDATION: Staff recommends approval.

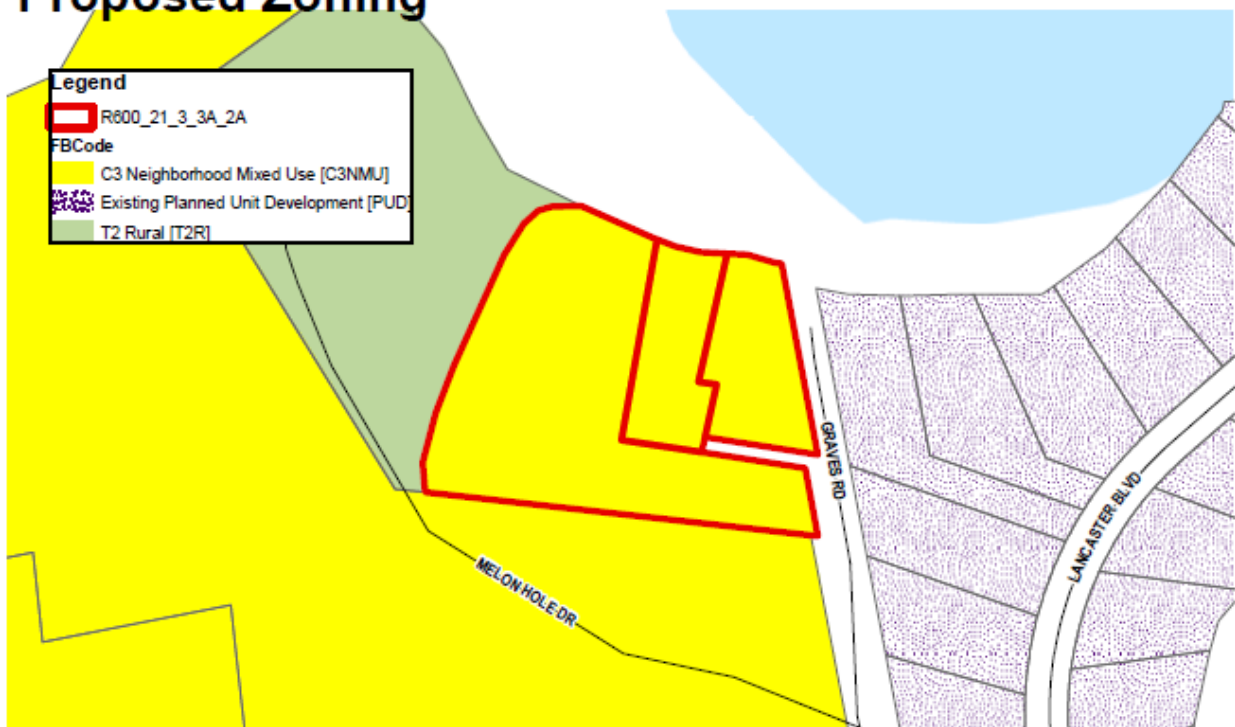
H. ATTACHMENTS:

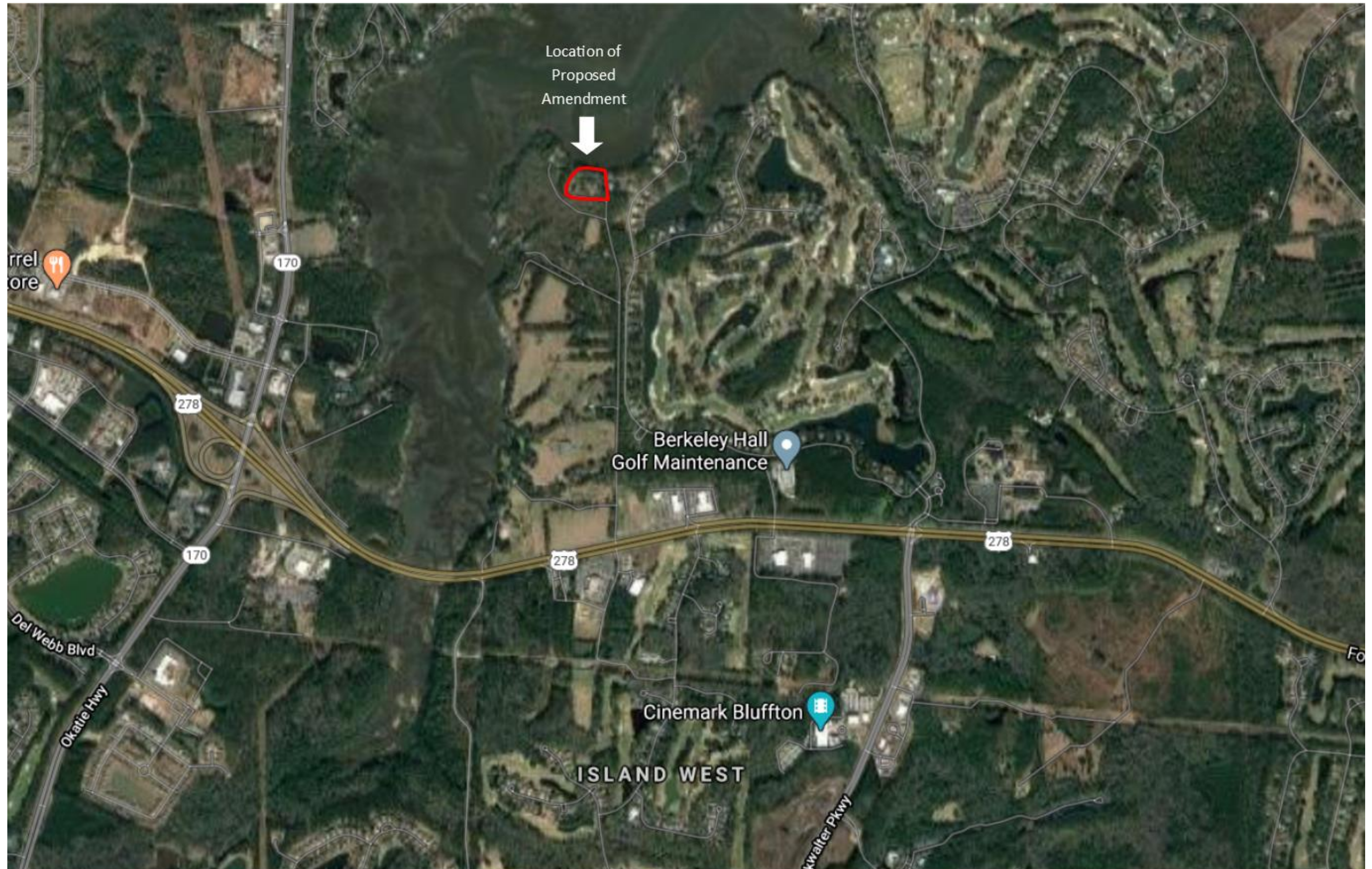
- Zoning Map (existing and proposed)
- Location Map

Existing Zoning



Proposed Zoning







MEMORANDUM

TO: Beaufort County Planning Commission

FROM: Robert Merchant, AICP, Beaufort County Community Development Department

DATE: March 23, 2020

SUBJECT: Zoning Map Amendment/Rezoning Request for 18.3 acres (R100 024 000 032A 0000, R100 024 000 0276 0000, R100 024 000 030C 0000, and R100 024 000 033A 0000) at the Intersection of Bay Pines Road and Laurel Bay Road from T2 Rural and S1 Industrial to C4-Community Center Mixed-Use District; Applicant: Robert Deeb.

STAFF REPORT:

A. BACKGROUND:

Case No. ZMA-2020-02

Owner/Applicant: Regent Equipment Rentals and Sales, Inc.; Lake Moultrie Construction, Inc.; and N. Etheleen and Lowell Landon (Representative Robert M. Deeb)

Property Location: Located at the northeast corner of the Bay Pines Road/Laurel Bay Road intersection.

District/Map/Parcel: R100 024 000 032A 0000, R100 024 000 0276 0000, R100 024 000 030C 0000, and R100 024 000 033A 0000

Property Size: 18.3 acres

Current Future Land Use Designation: Light Industrial and Neighborhood Mixed Used

Current Zoning District: S1 Industrial and T2 Rural

Proposed Zoning District: C4-Community Center Mixed-Use (C4-CCMU)

B. SUMMARY OF REQUEST:

The applicant seeks to change the zoning of 4 parcels making up 18.3 acres at the northeast corner of Bay Pines Road and Laurel Bay Road. Three of the properties are currently zoned S1 – Industrial. The easternmost parcel is zoned T2 Rural (see attached map). The applicant seeks C4 Community Center Mixed-Use zoning to facilitate the development of multi-family workforce housing on the site.

C. EXISTING ZONING:

Three parcels making up 8.3 acres are currently zoned S1 Industrial. While S1 Industrial permits office, manufacturing, industrial, warehousing and limited retail, it does not permit residential development. The easternmost 10 acres is zoned T2 Rural, which permits residential development at a density of one dwelling unit per 3 acres in addition to agricultural uses and limited retail.

D. PROPOSED ZONING:

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood. These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. The district also permits multi-family development with a density of 12 dwelling units per acres and maximum height of 3 stories.

E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:

The western most 8.3 acres are designated as Light Industrial. The Comprehensive Plan states that uses in this category should include, but are not be limited to, business parks, research and development centers, product assembly, distribution centers, cottage industries, and light and heavy industrial uses. The remaining 10 acres is designated as Neighborhood Mixed-Use. In neighborhood mixed-use areas, residential is the primary use, with some supporting neighborhood retail establishments. New development is encouraged to be pedestrian-friendly, have a mix of housing types, a mix of land uses and interconnected streets. The maximum gross residential density is approximately two dwelling units per acre. No more than 5% to 10% of the land area should consist of commercial development. Commercial uses providing neighborhood retail and services are limited to collectors and arterials and within master planned mixed-use developments.

F. AIR INSTALLATIONS COMPATIBLE USE ZONE (AICUZ):

The project is located outside of the AICUZ and therefore is not subject to the restrictions in the MCAS Airport Overlay Zone. The AICUZ is the area designated by MCAS where there are higher decibel levels and potential for accidents due to military aircraft operations.

G. NORTHERN BEAUFORT COUNTY REGIONAL PLAN:

The proposed parcel is located within the growth boundary as put forth in the Northern Beaufort County Regional Plan. The regional plan and the intergovernmental agreement that implements the plan require that all increases in zoning in unincorporated Beaufort County located within the growth boundary explore options to annex into the appropriate municipality – in this case the City of Beaufort. The intergovernmental agreement states the following:

The county shall encourage any landowner who seeks an increase in densities/intensities under current zoning on lands that are not contiguous to a municipality but within the growth boundary, to explore ways to annex the land. If annexation is not feasible, following the procedures outlined in Section G (below) the County will consult with the Planning Staffs of the City of Beaufort and the Town of Port Royal to determine the following: a. Whether the proposed zoning amendment or planned unit development is consistent with the Comprehensive Plan of the municipality in whose future growth area the proposed development is located; and b. Whether the proposed zoning amendment or planned unit development is consistent with the Northern Beaufort County Regional Plan.

This report has been sent to the City of Beaufort staff. Beaufort County staff will consult with City staff to determine whether annexation is feasible and whether this rezoning is consistent with the Northern Regional Plan.

H. ZONE MAP AMENDMENT REVIEW STANDARDS:

In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. **Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;** Approximately 8.3 acres is designated Light Industrial in the Beaufort County Comprehensive Plan. Staff believes that this site is better suited for mixed-use rather than solely industrial development given its location at a major intersection. The proposed C4-CCMU zoning district allows a mixture of residential, commercial and light industrial land uses and would, therefore, not render existing development on the site non-conforming. The remaining 10 acres is designated Neighborhood Mixed-Use. While this designation recommends a maximum gross density of 2 dwelling units per acre, it does recommend higher densities for workforce and affordable housing.
2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;** The proposed rezoning does not conflict with the CDC or Code of Ordinances.
3. **Addresses a demonstrated community need;** The applicant proposed to develop affordable housing on the site, which has been documented in the Housing Needs Assessment to be a community need.
4. **Is required by changed conditions;** The MCAS Airport Overlay District corresponds with the 2013 AICUZ developed for the F35B Joint Strike Fighter. The 2013 AICUZ greatly limits the amount of land in proximity of the MCAS Air Station and Laurel Bay that could be developed to support the needs for military personnel and their families. Since this site is situated outside of the MCAS Airport Overlay District but in proximity to the bases, it should be considered for the development of affordable housing.
5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;** The site is located approximately 1 mile east of the entrance to Laurel Bay. The immediate area is a mixture of residential, institutional, and light industrial uses. Across Laurel Bay Road is a 32-unit townhouse development. Approximately ½ mile east is another affordable multi-family housing development called Magnolia Park, in addition to a Food Lion and a Dollar General.
6. **Would not adversely impact nearby lands;** The site adjoins several single family houses along Laurel Bay Road and Edward Court. The Community Development Code would require a minimum 20-foot wide vegetated buffer between multi-family and single-family development.
7. **Would result in a logical and orderly development pattern;** See 5 and 6 above.
8. **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;** Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual. Approximately 40% of the site is cleared for an existing laydown and storage yard.
9. **Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal,**

schools, parks, police, and fire and emergency medical facilities): The site is located within the growth area of northern Beaufort County. It is in close proximity to public sewer and water, schools, fire and EMS. It is served by a network of streets and multi-use paths that connect it to MCAS Beaufort and Laurel Bay.

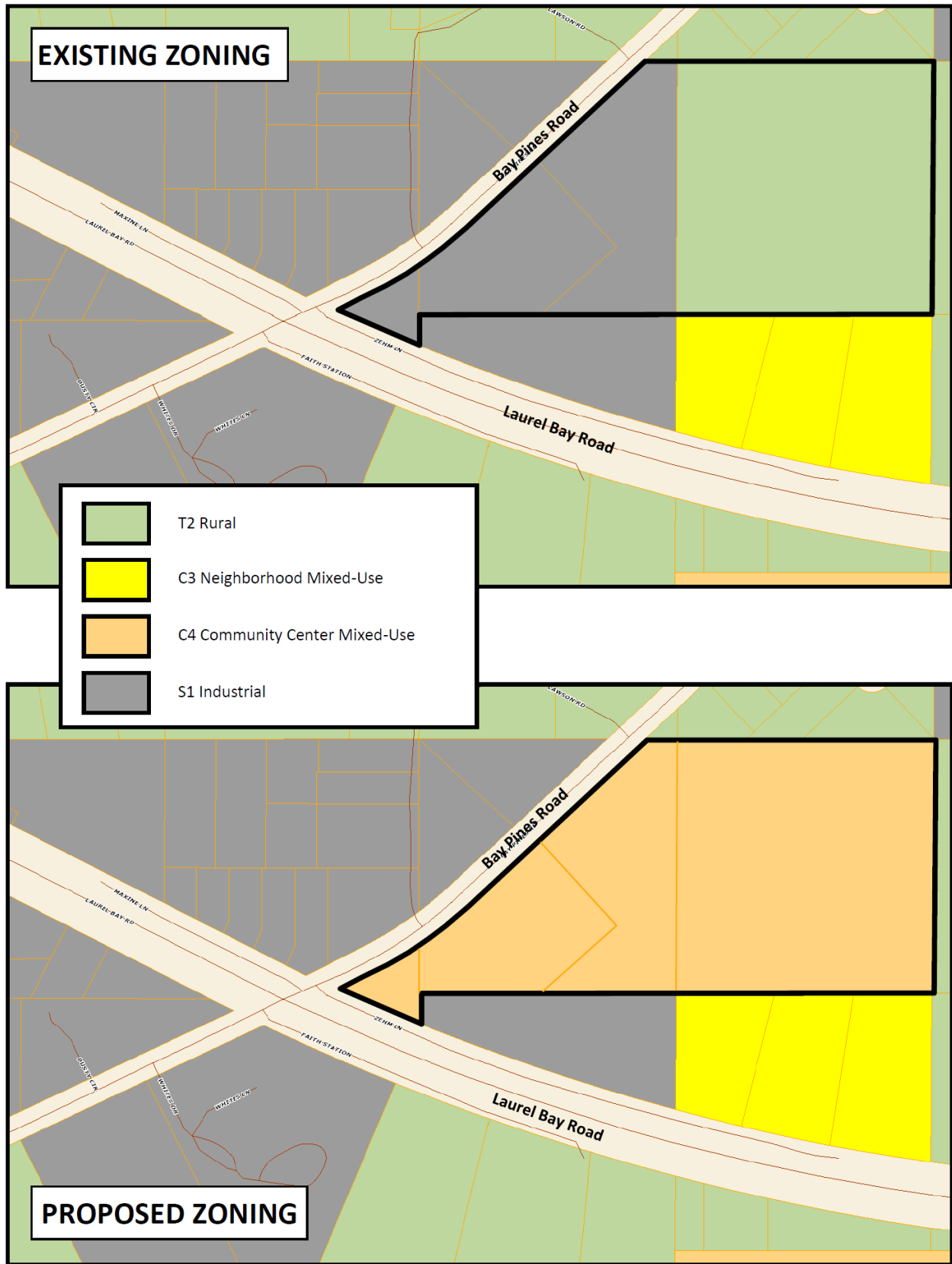
I. METROPOLITAN PLANNING COMMISSION:

The Metropolitan Planning Commission reviewed this proposed rezoning at their March 16, 2020 meeting. At that meeting, the MPC unanimously recommended approval of the rezoning.

J. STAFF RECOMMENDATION: Staff recommends approval of the proposed zoning map amendment.

K. ATTACHMENTS

- Zoning Map (existing and proposed)
- Location Map





BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

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Council Committee:

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Meeting Date:

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Committee Presenter (Name and Title):

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Issues for Consideration:

--

Points to Consider:

--

Funding & Liability Factors:

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Council Options:

--

Recommendation:

--

4.1.190 Recreation Facility: Campgrounds

Campgrounds shall be defined as the following:

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Primitive Campground – A campground accessible by walk-in, equestrian, motorized trail vehicles or ~~passenger vehicles, vehicular traffic~~ where basic facilities may be provided for the comfort and convenience of the campers. Primitive Campgrounds shall comply with the following:

A. Length of Stay. All campers are limited to a 14-day length of stay.

B. Zones – Primitive Campgrounds are allowed in the T1 Natural Preserve zone and ~~the all T2 Rural zoning district (T2R)es.~~

C. Buffers. Any tent sites shall be located no less than ~~100~~ 30 feet from any property line.

D. ~~Class A, B+, and C m~~ No RV's motorized RVs camping trailers, or camping trailers over 20 feet in length are prohibited shall be allowed. ~~Class B camper vans are allowed.~~

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E. Tree Requirement. Existing Trees shall be left on site, when practical. If there are no trees between campsites at least two trees shall be planted between each campsite

F. Accessory Uses. Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.

Semi- Developed Campground - A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:

A. Length of Stay. All camping units are limited to a 30-day length of stay.

B. Zones. Semi-Developed Campgrounds can be located within ~~all T2 Rural Zones with community sewer and water (neighborhood and Rural Center) to the site.~~

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C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV Pads, to the maximum extent practicable. If there are no trees between campsites, tent sites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.

Developed Campground – A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:

Division 4.3: Temporary Uses and Structures

A. Length of Stay. All Camping units are limited to a 30-day length of stay.

B. Zones. Developed Campgrounds can be located within T2 ~~(only Rural Center Zone)~~, C4 Community Center Mixed Use and C5 Regional Center Mixed Use.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practical. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and rural recreation businesses including, but not limited to zip lines, horse riding trails, arcades, camp stores, small cafes, small offices, or a club house. The size, intensity and scale of such accessory uses should be reasonably related to the particular campground of which such accessory uses are associated. The amenities shall not be for public use.

Table 3.1.60. Consolidated Use Table (continued)

Land Use Type	T1 R	T2B B	T2 BL	T2 BN	T2 BNO	T2 RC	T3E E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY																		
1. Community Oriented Cultural Facility (Less than 15,000 SF)	--	--	--	--	--	P	--	--	--	--	P	P	P	P	TCP	P	P	--
2. Community Oriented Cultural Facility (15,000 SF or greater)	--	--	--	--	--	S	--	--	--	--	S	P	P	P	--	P	P	--
3. Community Public Safety Facility	--	P	P	P	P	P	--	--	P	P	P	P	P	P	P	P	P	P
4. Institutional Care Facility	--	S	--	--	--	S	--	--	--	--	--	P	P	--	P	P	--	--
5. Detention Facility	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S
6. Meeting Facility/Place of Worship (Less than 15,000 SF)	--	C	--	C	C	C	C	C	C	C	C	C	C	C	C	C	C	--
7. Meeting Facility/Place of Worship (15,000 or greater)	--	S	--	--	--	C	--	--	--	C	C	C	C	C	C	C	C	--
8. Park, Playground, Outdoor Recreation Areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9. Recreation Facility: Commercial Indoor	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	--
10. Recreation Facility: Commercial Outdoor	--	S	--	--	--	--	--	--	--	--	--	C	C	--	--	C	C	--
11. Recreation Facility: Community-Based	--	--	--	--	--	P	--	--	--	--	--	P	P	P	--	P	P	--
12. Recreation Facility: Golf Course	--	P	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
13. Recreation Facility: Primitive Campground	P	P	--P	--P	--P	--P	--	--	--	--	--	--	--	--	--	--	--	--
14. Recreation Facility: Semi-Developed Campground	--	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--
15. Recreation Facility:	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	P	P	--

Division 4.3: Temporary Uses and Structures

Developed Campground																				
16. Ecotourism	S	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--
17. School: Public or Private	--	--	--	--	--	S	--	--	--	S	P	P	P	P	P	P	P	P	P	P
18. School: Specialized Training/Studio	--	--	--	--	--	S	--	--	--	P	P	P	P	P	P	P	P	P	P	P
19. School: College or University	--	--	--	--	--	S	--	--	--	--	S	--	S	S	S	S	S	S	S	--
INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS																				
1. Airport, Aviation Services	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S
2. Infrastructure and Utilities: Regional (Major) Utility	--	C	C	C	C	C	S	S	S	C	C	C	C	C	C	C	C	C	C	C
3. Parking Facility: Public or Commercial	--	--	--	--	--	P	--	--	--	--	--	P	P	P	--	P	P	P	P	P
4. Transportation Terminal	--	--	--	--	--	S	--	--	--	--	--	P	P	P	--	P	P	P	P	P
5. Waste Management: Community Waste Collection & Recycling	--	C	--	--	--	C	--	--	--	--	--	--	--	--	--	C	C	C	C	C
6. Waste Management: Regional Waste Transfer & Recycling	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C
7. Waste Management: Regional Waste Disposal & Resource Recovery	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S
8. Wireless Communications Facility	--	S	S	S	S	S	--	--	--	--	S	S	S	S	S	C	C	C	C	C
Land Use Type	I1 N	I2R	I2 RL	I2 RN	I2 RNO	I2 RC	I3E	I3 HN	I3 N	I3 NO	I4 HC	I4 VC	I4 HCO	I4 NC	C3	C4	C5	S1		

"P" indicates a Use that is Permitted By Right.

"C" indicates a Use that is Permitted with Conditions.

"S" indicates a Use that is Permitted as a Special Use.

"TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

"--" indicates a Use that is not permitted.



MEMORANDUM

To: Beaufort County Planning Commission
From: Robert Merchant, AICP, Deputy Community Development Director
Subject: Text Amendment To The Community Development Code (CDC): Article 1, Section 1.3.50 Applicability And Jurisdiction – Exemptions To Address County Public Service Uses
Date: May 4, 2020

STAFF REPORT:

A. BACKGROUND:

Case No. ZTA 2020-01
Applicant: Beaufort County Staff
Proposed Text Change: Text Amendment to The Community Development Code (CDC): Article 1, Section 1.3.50 Applicability and Jurisdiction – Exemptions to Address County Public Service Uses

B. SUMMARY OF REQUEST:

Beaufort County Staff is requesting an amendment to Article 1, Section 1.3.50 of the Community Development Code (CDC) to provide an exemption for Public Service Uses. The aim of this amendment is allow the County to provide necessary services in any zoning district with the requirement that County Council provide notification and hold a public hearing and approve such a use. The purpose of this amendment is to provide greater flexibility for the county government to respond to public safety and service needs throughout the county where these needs warranted. This version adds a provision for 2 public hearings with the first being conducted by the Planning Commission and the second by the County Council.

The proposed amendment language is attached (additions are highlighted and underlined).

C. ATTACHMENTS:

- Proposed changes to the CDC

Division 1.3: Applicability and Jurisdiction

1.3.10 General Applicability

The provisions of this Development Code shall apply to the development of all land within unincorporated Beaufort County unless it is expressly exempted by a specific section or subsection of this Development Code.

1.3.20 Application to Governmental Units

- A. The provisions of this Development Code shall apply to development by the County or its agencies and departments, or on land owned or otherwise controlled by the County.
- B. To the extent allowed by law, the provisions of this Development Code shall also apply to development by any city, town, state, or federal government or its agencies, departments, or corporate services, or on land owned or otherwise controlled by a city, town, state, or federal government.

1.3.30 Appropriate Development Permits or Approvals Required

No development shall occur without the development permits or approvals appropriate for the development, as set forth in this Development Code.

1.3.40 Compliance with Development Code Required

No land shall be developed without full compliance with the provisions of this Development Code and all other applicable county, state, and federal standards.

1.3.50 Exemptions

- A. The provisions of this Development Code shall not require formal subdivision of land as a result of actions taken by the State of South Carolina and its political subdivisions to acquire land or interests in land for public right-of-way and easements.
- B. County Council, public utilities, or County agencies may be exempt from the provisions of this Development Code when an emergency exists such that it is impossible to submit to the normal procedures and standards of this Development Code and quick and instant action is necessary to secure the public health, safety, or welfare. The County Council shall ratify such exemption after the fact at its next regularly scheduled meeting, and shall base its ratification on specified findings of fact related to the emergency involved.
- C. A public utility or public infrastructure installation (water, sewer, roads, gas, stormwater, telephone, cable, etc.) is exempt from the standards of this Development Code, except:
 - 1. Thoroughfare standards, in Division 2.9 (Thoroughfare Standards);
 - 2. Wetland standards, in Section 5.11.30 (Tidal Wetlands), and Section 5.11.40 (Non-Tidal Wetlands);
 - 3. River Buffer standards, in Section 5.11.60 (River Buffer);
 - 4. Tree Protection standards, in Section 5.11.90 (Tree Protection);

5. Stormwater management standards, in Section 5.12.30 (Stormwater Standards);
 6. Utility standards, in Section 4.1.210 (Regional (Major) Utility);
 7. Wireless communication facilities standards, in Section 4.1.320 (Wireless Communications Facility).
 8. Historic Preservation standards, in Division 5.10 (Historic Preservation).
- D. The Department of Defense shall be exempt from the standards of this Development Code.
- E. The paving of dirt roads are deemed not to constitute "development" and shall be exempt from the standards of this Development Code if the action meets one of the following conditions:
1. Existing County maintained dirt roads which are improved and/or paved as part of Beaufort County's Dirt Road Paving Program as set forth in Beaufort County Policy Statement 15 and Policy Statement 17;
 2. Private dirt roads with adequate existing Stormwater conveyance systems where the project is not related to a pending or proposed development of adjacent land, and the proposed paving meets the Thoroughfare Construction Specifications in Section 2.9.80. Private dirt roads without adequate existing Stormwater conveyance systems will be required to construct a conveyance system per the County's Stormwater Best Management Practices (BMP) Manual but will not be required to meet the Effective Impervious Values in Table 5.12.30.A or provide Retention/Detention Facilities.

F. County public service uses. Due to the unique nature of certain county public service uses and the need to locate these uses in certain areas of the county irrespective of prevailing zoning district regulations, Beaufort County may establish in any zoning district any public service use authorized to county government by S.C. Code § 4-9-30, as amended, or any other statute or law of the State of South Carolina; provided that all public service uses meet the following requirements:

1. The use shall meet the applicable requirements in Article 5 (Supplemental to Zones) of the Community Development Code.
2. **Public hearing for county public service uses.** Prior to the granting of a zoning compliance for county public service uses, a site plan in accordance with standards contained herein must be submitted and approved. The Beaufort County Planning Commission will hold a public hearing on the matter at least 15 days' notice of the time and place of which will be published in a newspaper of general circulation in Beaufort County. Notice will be given by adequately posting the properties affected, with at least one notice being visible from each public thoroughfare that abuts the property, at least 15 days prior to the public hearing. The Beaufort County Planning Commission will, after conducting the public hearing, provide a recommendation to the County Council with findings of fact regarding compliance with the Beaufort County Comprehensive Plan. Upon the Planning Commission's recommendation being received and, -the Beaufort County Council shall ~~will~~ hold a second public hearing on the matter at least 15 days' notice of the time and place of which will be published in a newspaper of general circulation in Beaufort County. Notice will be given by adequately posting the properties affected, with at least one notice being visible from each public thoroughfare that abuts the property, at least 15 days prior to the public hearing. Based on the review of the planning commission's recommendation, information presented at the public hearing's and probable impact of such uses on contiguous uses and conditions, the Council may elect to deny the

request in favor of a more acceptable site elsewhere, approve the use or approve the use with conditions and/or restrictions.