



**County Council of
Beaufort County
Planning Commission
Meeting**

Chairman
ED PAPPAS

Vice Chairman
RANDOLPH STEWART

Commission Members
KEVIN HENNELLY
CAROLINE FERMIN
CECILY MCMILLAN
DANIEL RIEDEL
GLENN MILLER
ARMIN WAHL
GAIL MURRAY

County Administrator
ERIC GREENWAY

Staff Support
ROBERT MERCHANT

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

Thursday, January 5, 2023 at 6:00 PM

Council Chambers

County Administration Building, 100 Ribaut Road, Beaufort, SC

ALL OF OUR MEETINGS ARE AVAILABLE FOR VIEWING ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304.

[MEETING LINK:](#)

Meeting number (access code): 161 243 0666

Passcode: PLANNING

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 – December 5, 2022
5. APPROVAL OF AGENDA
6. CITIZEN COMMENTS – NON-AGENDA ITEMS
(Comments are limited to 3 minutes.)

EXECUTIVE SESSION

7. **PURSUANT TO S.C. CODE SEC.30-4-70(A)(2): RECEIPT OF LEGAL ADVICE WHERE THE ADVICE RELATES TO PENDING AND POTENTIAL CLAIMS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE**

ACTION ITEMS

8. **ZONING MAP AMENDMENT/REZONING REQUEST** FOR 1.00 ACRE AT 3 BENTON LANE (R600 036 000 0369 0000) FROM T3 EDGE (T3E) TO T2 RURAL CENTER (T2RC), APPLICANT: MICHAEL CAMPBELL
9. **TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.4.50 CULTURAL PROTECTION OVERLAY (CPO) ZONE STANDARDS**
10. **VOTE ON PLANNING COMMISSION CHAIR AND VICE CHAIR FOR 2023**

DISCUSSION ITEMS

11. CHAIRMAN'S REPORT
12. ADJOURNMENT



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Planning and Zoning 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 in Council Chambers on Monday, December 5, 2022 at 6:00 p.m.

MEMBERS PRESENT:

Mr. Ed Pappas, Chairman
Mr. Randolph Stewart, Vice Chairman
Dr. Caroline Fermin
Ms. Gail Murray
Mr. Kevin Hennelly

MEMBERS ABSENT:

Ms. Cecily McMillan
Mr. Dan Riedel
Mr. Armin Wahl

STAFF PRESENT:

Mr. Robert Merchant, Planning and Zoning Director
Mr. Mark Davis, Planning and Zoning Deputy Director
Mrs. Chris DiJulio-Cook, Senior Administrative Specialist

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

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

REVIEW OF MEETING MINUTES: Dr. Caroline Fermin made a motion to approve the September 8, 2022 minutes. Ms. Gail Murray seconded. The motion passed unanimously.

CITIZEN COMMENTS: After being informed that the application for the Zoning Map Amendment for 76 May River Road had been withdrawn by the applicant, two people got up to speak on the subject. Ms. Patricia Warner stated concerns about the trees on the property and the traffic and asked about potential green space in the area. Mr. Mike Sica said he wanted to piggy-back on Ms. Warner's statement. He commented about congestion in the area and concerns about further development.

ACTION ITEMS:

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX C.2 (ROBERT SMALLS PARKWAY (SC 170)) TO UPDATE ACCESS MANAGEMENT STANDARDS

Mr. Eric Claussen, Beaufort County Director of Engineering, explained the areas they were focusing on, SC 170 from Castle Rock to WK Alston and Broad River, between WK Alston and Joe Frazier, the proposed updates and the reasons behind their necessity.

Dr. Fermin made a motion to accept the updates to access management standards. Mr. Kevin Hennelly seconded the motion. The vote was unanimous.

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.3.20 (ARCHITECTURAL STANDARDS AND GUIDELINES APPLICABILITY) AND APPENDIX, DIVISION A.1.20 (COMMUNITY PRESERVATION DISTRICTS - RELATIONSHIP TO THE COMMUNITY DEVELOPMENT CODE) TO RESTRICT THAT A SHIPPING CONTAINER OR OTHER SIMILAR PORTABLE STORAGE CONTAINER IS NOT CONSIDERED A DWELLING.

Mr. Robert Merchant stated that the proposed text amendment was taking a different path by having already gone through first and second reading with County Council. He explained the proposal would not allow a shipping container to be used as a dwelling. The amendment is to the Architectural Standards so the changes would impact all the zoning districts, across the board.

After the Commissioners had a chance to discuss the requested change, Dr. Fermin made a motion to accept the proposed text amendment. Mr. Hennelly seconded the motion. The text amendment, to restrict a shipping container as a dwelling, was passed unanimously.

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.90.D (PENALTY FOR CLEAR CUTTING PRIOR TO DEVELOPMENT) TO INCREASE THE PENALTIES FOR CLEAR CUTTING PROPERTY AND PROVIDE GUIDANCE ON ACCEPTABLE FORESTRY PRACTICES.

Mr. Mark Davis gave some background and described how Staff came up with the proposed text amendment.

After some discussion Dr. Fermin made a motion to accept the text amendment to the Community Development Code (CDC) Section 5.11.90.D. Ms. Murray seconded the motion. The motion passed unanimously.

APPROVAL OF 2023 PLANNING COMMISSION MEETING SCHEDULE

Chairman Pappas made sure that the Commissioners were aware the next meeting falls on a Thursday and asked that everyone enter the dates into his/her calendar to make sure that there would be quorums for the meetings.

CHAIRMAN'S REPORT:

Chairman Pappas said he didn't have anything further to report.

ADJOURNMENT: Chairman Pappas adjourned the meeting at 6:54 p.m.

SUBMITTED BY: Chris DiJulio-Cook
Planning and Zoning Senior Administrative Specialist

Ed Pappas
Beaufort County Planning Commission Chairman

Date: _____



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Kristen Forbus, Beaufort County Planning and Zoning Department
DATE: January 5, 2023
SUBJECT: Zoning Map Amendment/Rezoning Request for 1 acre at 3 Benton Lane (R600 036 000 0369 0000) from T3 Edge to T2 Rural Center

STAFF REPORT:

A. BACKGROUND:

Case No. CDPA-000023-2022
Owner/Applicant: Michael Kronimus
Property Location: 3 Benton Lane
District/Map/Parcel: R600 036 000 0369 0000
Property Size: 1 acre
Current Future Land Use Designation: Neighborhood Mixed Use
Current Zoning District: T3 Edge
Proposed Zoning District: T2 Rural Center

B. SUMMARY OF REQUEST: The applicant is seeking to change the zoning of a 1-acre lot at 3 Benton Lane from T3 Edge (T3E) to T2 Rural Center (T2RC) (see attached map). The applicant is proposing a rezoning to accommodate the use of Medical Service: Clinic/Office. The current zoning of T3E allows primarily for residential uses on large single-family lots. In 2011, the County held a charrette for the Pritchardville community during the creation of the Community Development Code. At that time, the community decided to limit commercial development to a small node at the intersection of Gibbet Road and May River Road. In 2014, the Community Development Code was adopted, and 3 Benton Lane was zoned T3E because of its placement outside of the small commercial district that was identified in the charrette. Rezoning 3 Benton Lane to the T2RC would permit uses such as Medical Service: Clinic/Office, General Retail, Bar/Nightclub, Gas Station, and Restaurant.

On April 12, 2021, County Council approved the rezoning from T3E to T2 Rural Center of a 2-acre parcel (122 May River Road) located directly west of 3 Benton Lane. The applicant is justifying this zoning amendment in part because it matches the zoning of this neighboring property (see attached map).

- C. EXISTING ZONING:** The lot is currently zoned T3 Edge, which reinforces established, rural residential areas that are typically at the transition between more walkable areas and Natural Preserves and Waterways. Under this zoning, only agriculture, residential, and light recreation uses are permitted.
- D. PROPOSED ZONING:** The T2 Rural Center district allows for very modest concentrations of activity within rural areas that are in the immediate vicinity of Rural Crossroads or other rural intersections with existing concentrations of non-residential uses. These consist of service and limited commercial uses that may cluster on more closely spaced buildings of residential character. This zoning allows for agriculture, residential, retail/restaurants, offices/services, recreation, schools, infrastructure, and light industrial uses which would permit uses such as Medical Service: Clinic/Office, General Retail, Bar/Nightclub, Gas Station, and Restaurant.
- E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** This 1-acre lot is designated Neighborhood/Mixed-Use on the Future Land Use Map. The Comprehensive Plan states that future development in neighborhood/mixed-use areas should have moderate-density residential zoning, in Pritchardville’s case, T3E zoning, as the primary use with some supporting retail establishments (see H1 below). 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 two dwelling units per acre with some denser pockets of development.
- F. TRAFFIC IMPACTS:** According to Section 6.3.20.D of the CDC, *“An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.”* The applicant does not require a TIA. However, the parcel has existing access on Benton Lane and will unlikely have direct access from May River Road due to access management requirements on minor arterial roads. Therefore, a business will have to utilize the existing curb cut off Benton Lane which currently serves only residential development. Furthermore, the adjacent parcel that is zoned T2RC (122 May River Road) will also require a curb cut once it is developed thus contributing to the traffic impact on the mainly residential area. The curb cut placement for that parcel is to be determined.
- G. SCHOOL CAPACITY IMPACTS:** The School District will not be affected by the proposed rezoning.
- H. ZONING 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;**

The Land Use chapter of the 2040 Comprehensive Plan indicates this area as Neighborhood/Mixed-Use on the Future Land Use Map. The Comprehensive Plan states that future development in neighborhood/mixed-use areas should have moderate-density residential as the primary use, with some supporting retail establishments. The “supporting retail establishments” area already exists ¼ mile down the May River Road along the Gibbet Road intersection- providing a mix of service, retail, and light industrial uses.
 2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;**

The proposed rezoning constitutes as “spot zoning” as it is amidst other T3E parcels and is adjacent to a recently spot zoned T2RC parcel (122 May River Road) that was formerly recommended denial by Planning Commission. It is also in conflict with the Community Development Code’s intent of maintaining and containing Pritchardville’s existing commercial district located at the May River Road and Gibbet Road intersection.

3. Addresses a demonstrated community need;

N/A

4. Is required by changed 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;

Existing uses on the surrounding lands are primarily low density residential. The proposed zoning change would allow for a broader mix of office, commercial, restaurant, and light industrial uses. These uses are not compatible with the surrounding, existing settlement patterns being primarily residential.

6. Would not adversely affect nearby lands;

As stated in F and 5, there is potential for adverse impacts on the existing properties in the adjacent area. The lot will take access off Benton Lane (a residential no-through road) which was constructed to serve a small residential development. Staff also has concerns about the precedent that would be set if this parcel is rezoned.

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.

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):

Water and sewer are not available to service the property currently. The applicant has stated that potable water distribution will be provided by BJWSA, wastewater collection will initially be handled through septic systems as permitted by SDHEC and then wastewater service through

BJWSA, electric will be provided by SCE&G, and telecommunications will be provided by Hargray Communications. EMS and Fire facilities are located within a mile of the site.

I. STAFF RECOMMENDATION: The proposed zoning change from T3 Edge (T3E) to T2 Rural Center (T2RC) is inconsistent with the intended character of the surrounding areas of the Pritchardville Rural Crossroad. Staff has concerns about expanding on an existing T2RC parcel (122 May River Road) that was spot zoned two years ago. The parcel (122 May River Road) has remained vacant as the need for T2RC zoning in the area appears to be low. Furthering this T2RC zoning may open the surrounding residential areas along May River Road to similar up zonings thus establishing a concerning precedent for future requests. This was not intended per the 2040 Comprehensive Plan nor the Community Development Code. Therefore, staff recommends denial for the rezoning of 3 Benton Lane.

J. ATTACHMENTS

- Zoning Map (existing and proposed)
- Rezoning Application

Existing Zoning

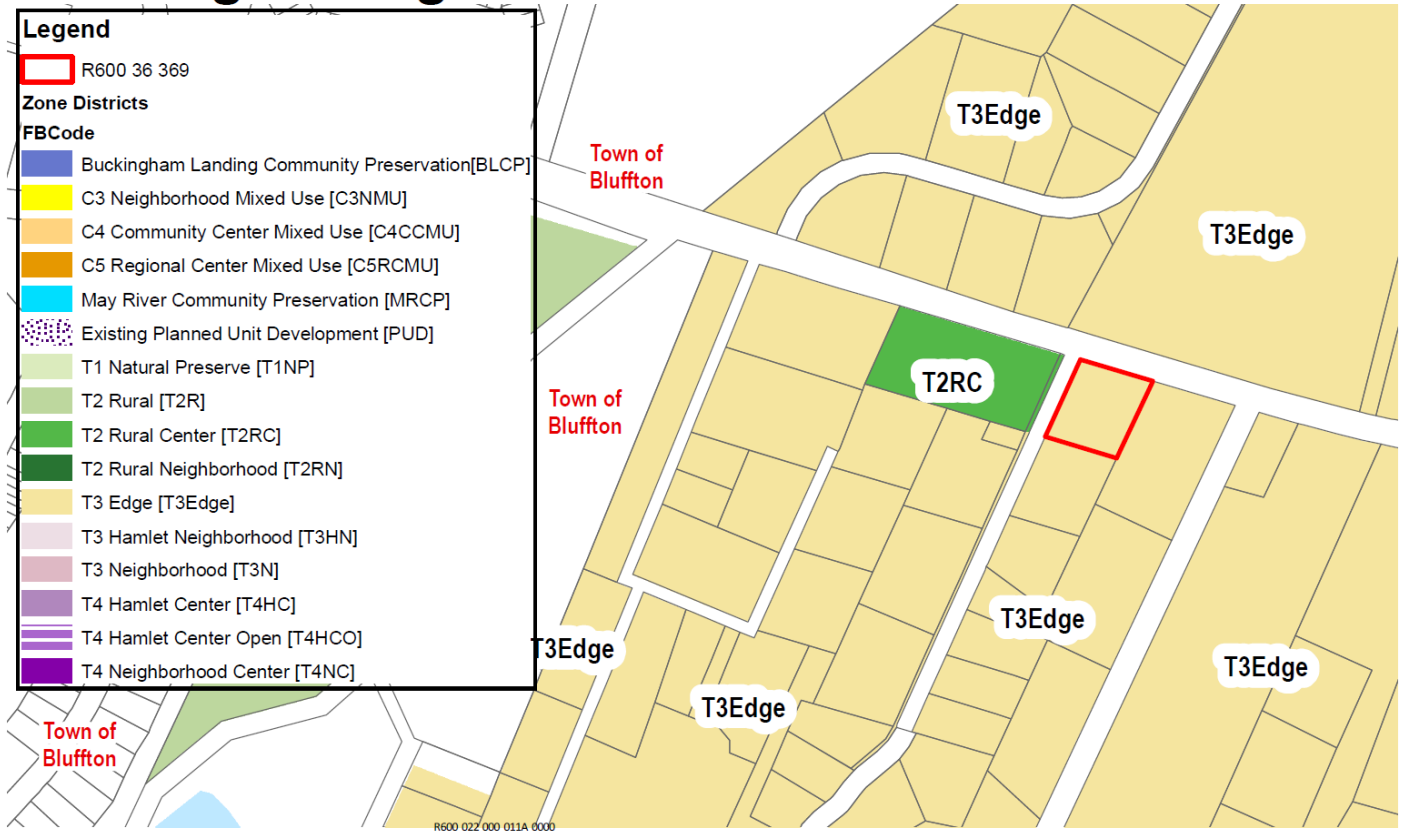
Legend

R600 36 369

Zone Districts

FBCode

- Buckingham Landing Community Preservation [BLCP]
- C3 Neighborhood Mixed Use [C3NMU]
- C4 Community Center Mixed Use [C4CCMU]
- C5 Regional Center Mixed Use [C5RCMU]
- May River Community Preservation [MRCP]
- Existing Planned Unit Development [PUD]
- T1 Natural Preserve [T1NP]
- T2 Rural [T2R]
- T2 Rural Center [T2RC]
- T2 Rural Neighborhood [T2RN]
- T3 Edge [T3Edge]
- T3 Hamlet Neighborhood [T3HN]
- T3 Neighborhood [T3N]
- T4 Hamlet Center [T4HC]
- T4 Hamlet Center Open [T4HCO]
- T4 Neighborhood Center [T4NC]



Proposed Zoning

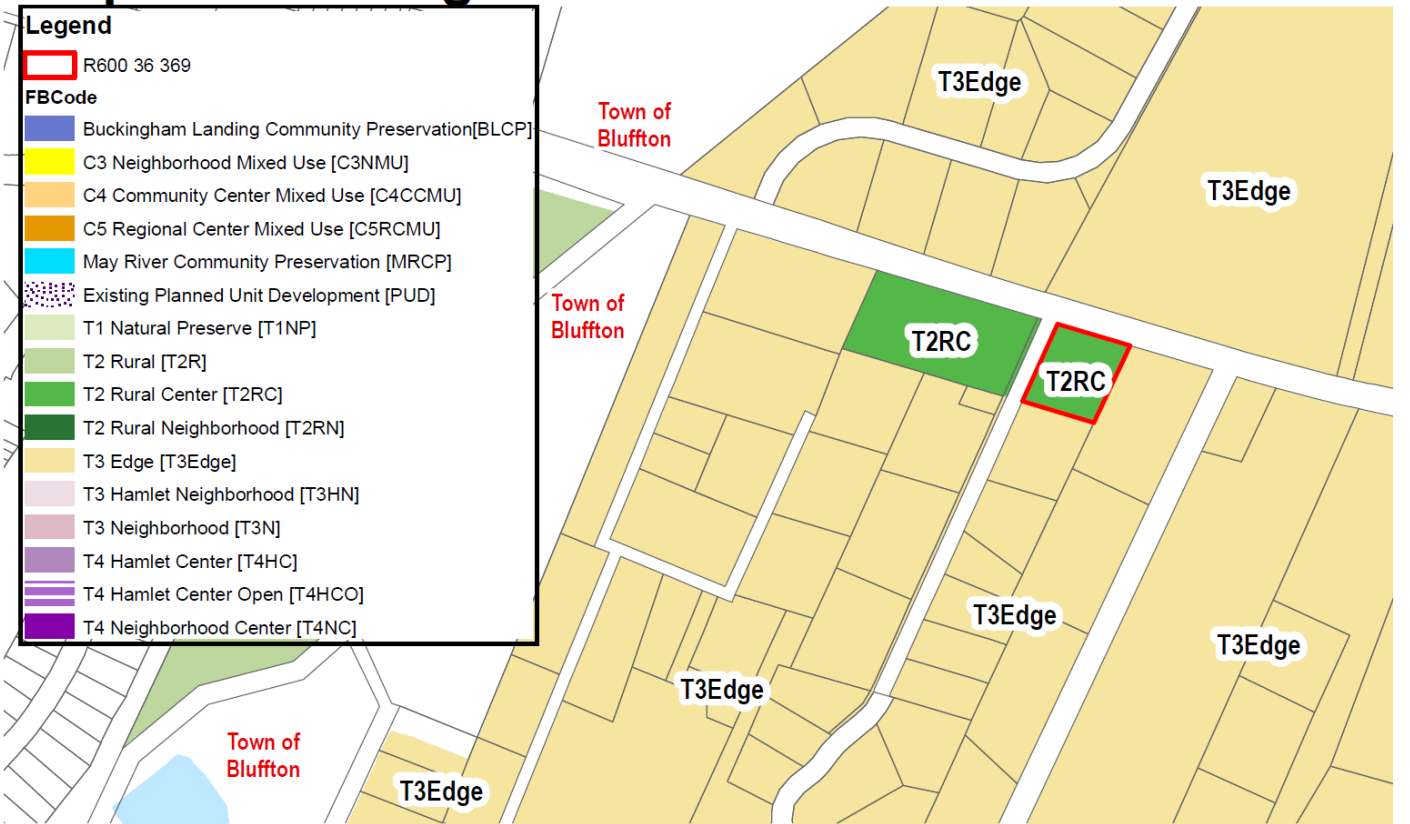
Legend

R600 36 369

Zone Districts

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- Buckingham Landing Community Preservation [BLCP]
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- T2 Rural Neighborhood [T2RN]
- T3 Edge [T3Edge]
- T3 Hamlet Neighborhood [T3HN]
- T3 Neighborhood [T3N]
- T4 Hamlet Center [T4HC]
- T4 Hamlet Center Open [T4HCO]
- T4 Neighborhood Center [T4NC]



BEAUFORT COUNTY, SOUTH CAROLINA
COMMUNITY DEVELOPMENT CODE (CDC)
ZONING MAP OR TEXT AMENDMENT / PUD MASTER PLAN CHANGE APPLICATION

TO: Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Community Development Code (CDC) be amended as described below:

1. This is a request for a change in the (check as appropriate): PUD Master Plan Change
 Zoning Map Designation/Rezoning Community Development Code Text
2. Give exact information to locate the property for which you propose a change: R600 036 000 0369 0000
Tax District Number: _____, Tax Map Number: _____, Parcel Number(s): 7651007
Size of subject property: 1.00 acres _____ Square Feet / Acres (circle one)
Location: 3 Benton Lane - SW intersection of May River Road & Benton Lane
3. How is this property presently zoned? (Check as appropriate)
 T4NC Neighborhood Center T2RC Rural Center C3 Neighborhood Mixed Use
 T4HC Hamlet Center T2RN Rural Neighborhood C4 Community Center Mixed Use
 T4HCO Hamlet Center T2RNO Rural Neighborhood Open C5 Regional Center Mixed Use
 T4VC Village Center T2R Rural S1 Industrial
 T3N Neighborhood T1 Natural Preserve Planned Unit Development/PUD
 T3HN Hamlet Neighborhood Community Preservation (name) _____
 T3E Edge (specify) _____
4. What new zoning do you propose for this property? Rural Center (T2RC)
(Under Item 9 explain the reason(s) for your rezoning request.)
5. Do you own all of the property proposed for this zoning change? Yes No
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.
6. If this request involves a proposed change in the Community Development Code text, the section(s) affected are: N/A
(Under Item 9 explain the proposed text change and reasons for the change.)
7. Is this property subject to an Overlay District? Check those which may apply:
 MCAS-AO Airport Overlay District/MCAS MD Military Overlay District
 BC-AO Airport Overlay District/Beaufort County RQ River Quality Overlay District
 CPO Cultural Protection TDR Transfer of Development Rights
 CFV Commercial Fishing Village
8. The following sections of the Community Development Code (CDC) (see attached sheets) should be addressed by the applicant and attached to this application form:
 - a. Division 7.3.20 and 7.3.30, Comprehensive Plan Amendments and Text Amendments.
 - b. Division 7.3.40, Zoning map amendments (rezoning).
 - c. Division 1.6.60, Planned Unit Developments (PUDs) Approved Prior to Dec. 8, 2014
 - d. Division 6.3, Traffic Impact Analysis (for PUDs)

9. Explanation (continue on separate sheet if needed): N/A

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proof for the proposed amendment rests with the owner.

Michael R Campbell 12/12/2022
Signature of Owner (see Item 5 on page 1 of 2) Date

Printed Name: MICHAEL R. CAMPBELL Telephone Number: 843-338-3521

Address: 181 Alljoy Road, Bluffton, SC, 29910

Email: Campbelleyc@gmail.com

Agent (Name/Address/Phone/email): Michael Kronimus - KRA architecture & design, Bluffton, SC 29910

UPON RECEIPT OF APPLICATIONS, THE STAFF HAS THREE (3) WORK DAYS TO REVIEW ALL APPLICATIONS FOR COMPLETENESS. THE COMPLETED APPLICATIONS WILL BE REVIEWED FIRST BY THE BEAUFORT COUNTY PLANNING COMMISSION SUBCOMMITTEE RESPONSIBLE FOR THE AREA WHERE YOUR PROPERTY IS LOCATED. MEETING SCHEDULES ARE LISTED ON THE APPLICATION PROCESS (ATTACHED). COMPLETE APPLICATIONS MUST BE SUBMITTED BY NOON THREE WORKING DAYS AND FOUR (4) WEEKS PRIOR FOR PLANNED UNIT DEVELOPMENTS (PUDs) OR THREE (3) WEEKS PRIOR FOR NON-PUD APPLICATIONS TO THE APPLICABLE PLANNING COMMISSION MEETING DATE.

SUBMISSION OF APPLICATION. ALL APPLICATIONS SHALL BE SUBMITTED TO THE APPROPRIATE COUNTY DEPARTMENT. NO APPLICATION WILL BE ACCEPTED UNLESS ACCOMPANIED BY THE REQUIRED FEE. APPLICATIONS RECEIVED BEFORE 12:00 P.M. SHALL BE DATED THE SAME WORKING DAY. APPLICATIONS RECEIVED AFTER 12:00 P.M. SHALL BE DATED THE NEXT WORKING DAY.

PLANNED UNIT DEVELOPMENT (PUD) APPLICANTS ARE REQUIRED TO SUBMIT FIFTEEN (15) COPIES TO THE PLANNING DEPARTMENT. CONSULT THE APPLICABLE STAFF PLANNER FOR DETAILS.

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN DIV. 7.4.50 OF THE COMMUNITY DEVELOPMENT CODE.

CONTACT THE PLANNING DEPARTMENT AT (843) 255-2140 FOR EXACT APPLICATION FEES.

FOR PLANNING DEPARTMENT USE ONLY:

Date Application Received:
(place received stamp below)

Date Posting Notice Issued:

Application Fee Amount Received:

Receipt No. for Application Fee:

BEAUFORT COUNTY, SC
PROPOSED COMMUNITY DEVELOPMENT CODE (CDC)
ZONING MAP OR TEXT AMENDMENT / PUD MASTER PLAN CHANGE APPLICATION

APPLICATION PROCESS

Your application will be heard by the following groups before final determination by County Council occurs (approximately five separate hearings for text amendments; approximately five to six for map amendments, depending on the property location) as indicated below:

1. **Metropolitan Planning Commission** (a subcommittee of the County Planning Commission -- for properties on Port Royal Island including Burton, Grays Hill, Seabrook, and Shell Point areas; and Lady's Island, including Coosaw Island—map amendment only): Generally Third (3rd) Monday of each month, at 5:30 p.m. in the Beaufort City Hall Council Chambers, 1911 Boundary Street, Beaufort, SC 29902.
2. **The Beaufort County Planning Commission:** First (1st) Monday of each month, at 6:00 p.m. in the County Council Chambers, Administration Building, 100 Ribaut Road, Beaufort, SC. If the first Monday is a County holiday or a County Council meeting day, the meeting will be held on the first Thursday of the month.
3. **Natural Resources Committee of Beaufort County Council:** generally Third (3rd) Monday of each month, usually at 2:00 p.m. in the Executive Conference Room, Administration Building, 100 Ribaut Road, Beaufort, SC.
- 4-6. **County Council:** Second (2nd) and Fourth (4th) Mondays of each month, at 4:00 p.m. usually in the County Council Chambers, Administration Building, 100 Ribaut Road, Beaufort, SC.
 - a. First (1st) Reading
 - b. Second (2nd) Reading
 - c. Third (3rd) and Final Reading (Public Hearing generally prior to final reading)

NOTE: Occasionally meeting locations, dates and times may be changed. Before attending the above listed meetings, please confirm with the Planning Office (phone 843-255-2140) or check the County website at www.bcgov.net (click on "View Full Calendar" on the far right of the home page screen).

December 9, 2022

Mr. Rob Merchant
Beaufort County Planning Director
Post Office Drawer 1228
Beaufort, SC 29901-1228

Dear Rob,

Please accept the attached application for consideration for amendments to the Comprehensive Plan Future Land Use Map and the Official Zoning Map. The application submittal considers the provisions provided in the Southern Beaufort County Regional Plan, the Comprehensive Plan as well as zoning and development standards established by Beaufort County.

The submittal provides for a mixture of land uses and activities that are supportive of the surrounding commercial properties and existing and planned infrastructure, and further considers mitigation of current and future traffic impacts. We believe that upon approval of the proposed amendments, the project will provide a regional and community anchor that we believe is in high demand in Southern Beaufort County.

In this regard, please find all required material including Application Forms and associated Project Narratives and Site Analysis.

Please provide a response indicating application completeness and further provide a review schedule for our use at your earliest convenience. In the meantime, please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kronimus", with a stylized flourish at the end.

Michael Kronimus, AIA, NCARB
KRA architecture & design

for Eyeland Properties, LLC

**Applications to Amend the
Beaufort County Comprehensive
Plan Future Land Use Map &
Official Zoning Map**

**3 Benton Lane
Eyeland Properties, LLC
1.0 Acres
Bluffton Parkway
R600-036-000-0369-0000**

Beaufort County, SC

**Submitted to:
Beaufort County
Planning Division
Beaufort, SC**

December 9, 2022

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- III. Project Background**
- IV. Comprehensive Plan Future Land Use Map Amendment Criteria**
- V. Official Zoning Map Amendment Criteria**

ATTACHMENTS

- a. Boundary Plat & Wetland Survey**
- b. Aerial Site Map**
- c. Adjacent Zoning Map**
- d. Owner Rezoning Approval Letter**

I. Project Team

Michael Campbell is pleased to list the initial professional development team that has been contacted and consulted with regarding the Applications to amend the Beaufort County Comprehensive Plan Future Land Use Map and Official Zoning Map:

Property Owner:	Mr. Delmar P. Decker
Future Owner:	Eyeland Properties, LLC Mr. Michael Campbell
Applicant/Agent: KRA, Inc.	Mr. Michael Kronimus
Land Planning/Landscape Architecture: KRA, Inc.	Mr. Michael Kronimus

II. Project Introduction

In accordance with Beaufort County Zoning and Development Standards Ordinance, the applicant is submitting applications to Beaufort County for consideration to amend the Future Land Use Map of the Comprehensive Plan along with the Beaufort County Official Zoning Map. Currently zoned T3Edge, the application intends to further the goals of the Southern Beaufort County Regional Plan and the 2010 Beaufort County Comprehensive Plan by proposing the new zoning of T2RC (T2 Rural Center), and thereby encourage mixed-use development in areas with existing and planned infrastructure within close proximity of the May River Road and Hwy 170 corridors.

III. Project Background

Defined as Parcel ID# R600 036 000 0369 0000, is a 1.0 acre project located along the south side of Highway 46 – May River Road, with close proximity to the Hwy 46 & Hwy 170 circle, and is accessible via existing ingress/egress off of Benton Lane. The property is in close proximity to the new growth of New Riverside Village and the Publix Shopping Center less than half a mile away.

The property sits on the well traversed Highway 46 between two major commercial and residential projects and with this growth the corridor has been changing to service a more mixed use need rather than rural homes.

The proposed project is intended to provide flexibility in development with improved design, character, and quality of living, and working environments. The existing site features will be enhanced through compatible community design, careful attention to detail, and preservation of existing natural resources. The proposed Rezoning Application is in compliance with the minimum requirements as per Beaufort County's Zoning and Development Standards Ordinance. Land use and design principles used provide compatibility with the surrounding properties including the adjacent

commercial regional land uses. As such, this application serves to establish design and development standards based upon current Beaufort County Standards that will serve as the framework for the long-term planning and development of this property.

IV. Comprehensive Plan Future Land Use map Amendment Criteria

Summary of Findings:

- Currently designated T3 Edge on the Comprehensive Plan Future Land Use Map, adjacent existing and planned public infrastructure and commercial development projects indicate that the subject site is appropriate for regionally significant commercial growth.
- With direct access to Highway 46, the property would benefit from warranted and justified Future Land Use Map amendments.
- The currently constructed New Riverside Village provides more significant opportunities for regionally significant commercial and development.
- Natural Resources will not be negatively impacted. With strict adherence to the application of current Beaufort County Zoning and Development Standards, the natural resource systems will be improved through development of the property. There are no threatened or endangered species on this site and none are known to exist within 500 of the project area.
- The applicant determines that application of current T3 Edge Zoning applied to the existing designation on the Future Land Use Map as part of the Beaufort County Comprehensive Plan is inappropriate and extremely inconsistent with surrounding properties and further that the property provides significant

opportunity for appropriate commercial regional growth which is consistent with surrounding neighborhoods and properties.

- As such, the applicant requests the Future Land use Map of the Comprehensive Plan, be amended to reflect T2RC (Rural Center) designation.

V. Official Zoning Map Amendment Criteria

A. *Summary of Findings:*

- As a result of surrounding regionally significant commercial growth, existing and planning public infrastructure expansion including New River Parkway, and the property location within close proximity to US Highway 46 & 170, the amendment to establish a T2RC Rural Center Zoning District will provide a mixed-use development that is consistent with the goals and objectives identified in the Comprehensive Plan.
- The rezoning amendment is consistent with the current land uses and existing zoning designation of nearby properties.
- The site is already adequately served by existing infrastructure that can be expanded upon without significant demand on utility providers and public investment. Public infrastructure including roadways, emergency services, schools and community resources exist and/or are planned to be of appropriate capacity to serve the project upon development. Currently the site is lacking water and sewer connections, the future owner is working to spearhead efforts to establish these connections.
- Land uses including retail, commercial, restaurant and office uses. Upon master plan and development plan submittal and review, current zoning and

development standards will assure that future development will be compatible with nearby uses and surrounding neighborhoods.

- The property, due in large part to its location, site features, and size make this property well suited for a T2 Rural Center zoning district and mixed use development.
- Since this property was originally developed, the site is mainly clear of trees and natural habitat. Further, soils are generally well suited for development activity.
- As a result of US Highway 46 & 170, several other regional roadway networks within immediate and adjacent proximity to the site, there is significant capacity with the existing transportation infrastructure to serve emergency management needs during emergency evacuation.
- Upon site development, water, sewer, Police, Fire, and Emergency Service demands are adequately served by providers.
- As such, the applicant requests the Official Zoning Map be amended to reflect T2 Rural Center designation.

B. Stormwater Management:

A new storm water retention system will need to be designed that has adequate capacity and meets the requirements as set forth by South Carolina Department of Health and Environmental Control's Office of Coastal Resource Management (SCDHEC-OCRM) and will adhere to Beaufort County's stormwater ordinance and

stormwater design manual. During any future development of the project, best management practices will be employed during the design and construction to treat stormwater run-off and to limit post development runoff to predevelopment runoff rates.

C. Land Use Provisions:

Land Use Provisions shall apply to the T2RC Rural Center development and associated Concept Plan. Particular combination, type and acreage for each use within a particular development area within the property shall be based upon final planning, engineering and market demand. Permitted land are listed on 3.1.60 Consolidated Use Table.

The zoning district that most closely resembles the proposed property is T2RC Rural Center. The neighboring property to the west is zoned T2RC Rural Center. The property to the north is zoned T3 Edge (T3 Edge). The property to the east and south is zoned T3 Edge (T3 Edge). In conclusion the proposed T2RC Rural Center would accurately comply and fit into the existing adjacent zoning complementing activities on the Hwy 46 corridor.

D. Project Build Out:

It is anticipated that the project will be developed in several phases over time based on market and infrastructure demand.

E. Site Density and Development Standards:

The property shall be programmed according to the general site layout as illustrated on a future Concept Plan and on the future Development Plan. All development standards shall be in accordance with the current Beaufort County Zoning and Development Standards Ordinance.

All building design will follow all direction from Beaufort County CDC 3.2.110 (purpose, allowed building types, building placement, building form, encroachment and frontage types, parking and allowed uses).

The intent of parking regulations shall be to encourage the balance between compact pedestrian oriented development and necessary vehicle storage. The goal is to construct neither more nor less parking than needed. While minimum allowed levels of parking are provided in the current Beaufort County CDC, in future Master Plan and Development Plan applications, should the applicant prefer a deviation from the parking standards, the applicant shall provide a parking analysis justifying the proposed parking layout.

F. Infrastructure:

The roadways and related improvements developed within the property shall initially be owned and maintained by the developer but may be conveyed to appropriate property owner associations in the future who will have assessment and lien rights sufficient to ensure their maintenance. These facilities may be, but are not required to be offered for public dedication in the future.

Easements will be provided for utility facilities including but not limited to water distribution, wastewater collection, telephone, electric power distribution, and natural gas.

Stormwater management/drainage systems, and related improvements developed within the property shall initially be owned and maintained by the developer but may be conveyed to appropriate property owner associations in the future who will have assessment and lien rights sufficient to ensure their maintenance. This system and its constituent facilities will not be offered for public dedication in the future but will be connected to existing and future public drainage facilities and waterways.

G. Utility Services:

Potable water distribution will be provided by Beaufort Jasper Water & Sewer Authority (BJWSA).

Wastewater collection will initially be handled through septic systems as permitted by South Carolina Department of Health and Environmental Control (SCDHEC). As the site builds out, wastewater collection will be constructed. The wastewater service will be provided by Beaufort Jasper Water & Sewer Authority (BJWSA) at a future date yet to be determined.

Electric service to the site will be provided by Palmetto Electric. Natural gas service, if desired, will be provided by SCE&G.

Telecommunication service to the site is provided by Hargray Communications.

The water source for irrigation (non-potable) use will be through the proposed water system as installed with the potable water distribution system. All irrigation piping will be owned and maintained by the land owner but may be conveyed to appropriate property owner associations in the future who will have assessment and lien rights sufficient to ensure their maintenance.

NOTES:

- 1) ALL CORNERS ARE 3" x 3" CONCRETE MONUMENTS - OLD, EXCEPT NOTED.
- 2) ALL DISTANCES ARE IN A CLOCKWISE DIRECTION.
- 3) THIS PLAN IS SUBJECT TO ALL RECORDED EASEMENTS, COVENANTS, AND RESTRICTIONS.
- 4) FIELD EQUIPMENT USED: SPOON SET, NO. 4222, AND TDS SOFTWARE.
- 5) OFFICE EQUIPMENT USED: BENTON 486, 8000 SOFTWARE, AUTOCAD 912.
- 6) REVISIONS BY FLOOD ELEVATION - N/A
- 7) AVERAGE GRADED ELEVATION - N/A
- 8) BEAUFORT COUNTY PLANS 625-036-000-0010-008
- 9) TOTAL AREA: THIS PLAN IS 2.071 ACRES
- 10) PERM. = 1/2" REBAR - CON.
- 11) PERM. = 1/2" REBAR - CON.
- 12) CONCR. C. = CONCRETE MONUMENT - CON.
- 13) CONCR. M. = CONCRETE MONUMENT - MET.

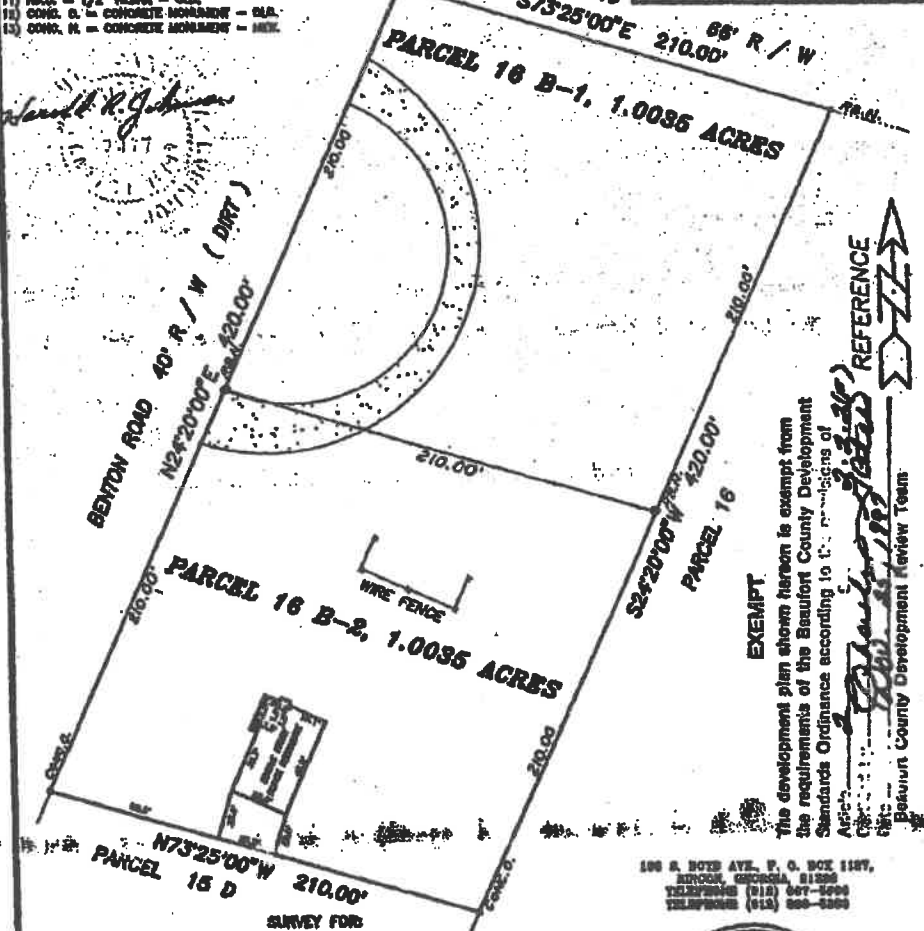
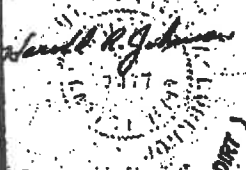
FILED
JOHN A. SULLIVAN-RMC
BEAUFORT COUNTY, S.C.

97 NOV 25 PM 2:40

BK *sc 1033* PG *6*
FOLDER No. 48



VICINITY MAP NOT TO SCALE



EXEMPT
The development plan shown hereon is exempt from the requirements of the Beaufort County Development Standards Ordinance according to the provisions of Article 10, Chapter 1, Section 10-101 of the Beaufort County Code.

100 S. BOND AVE., P. O. BOX 1147,
BEAUFORT, GEORGIA 31520
TELEPHONE (912) 667-4000
TELEFAX (912) 666-4200



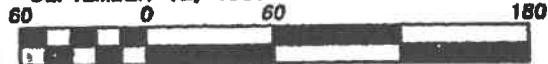
SURVEY FOR:
GULF EQUIPMENT, INCORPORATED

AN ADULT SURVEY OF:
PARCELS 16 B-1 & 16 B-2,

LOCATED NEAR:
PRITCHARDVILLE,
BLUFFTON TOWNSHIP,
BEAUFORT COUNTY,
SOUTH CAROLINA

REVISED: 11-14-97
SEPTEMBER 12, 1997

SCALE: 1" = 60'



Scale 1" = 60 ft

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPOON SET SURVEYING INSTRUMENT FOR THE SPACING OF LAND SURVEYS IN SOUTH CAROLINA, AND WERE NOT EXCEEDED THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO, THERE ARE NO USABLE RECORDS OF PREVIOUS SURVEYS WHICH SHOW

DRAWN BY: E.T.P.J.
REVISED: 11-14-97
DATE: SEPTEMBER 12, 1997
REV: 11-07-97A
DWG. NO.: 05-008-07A
APPROVED BY: H.R.A.

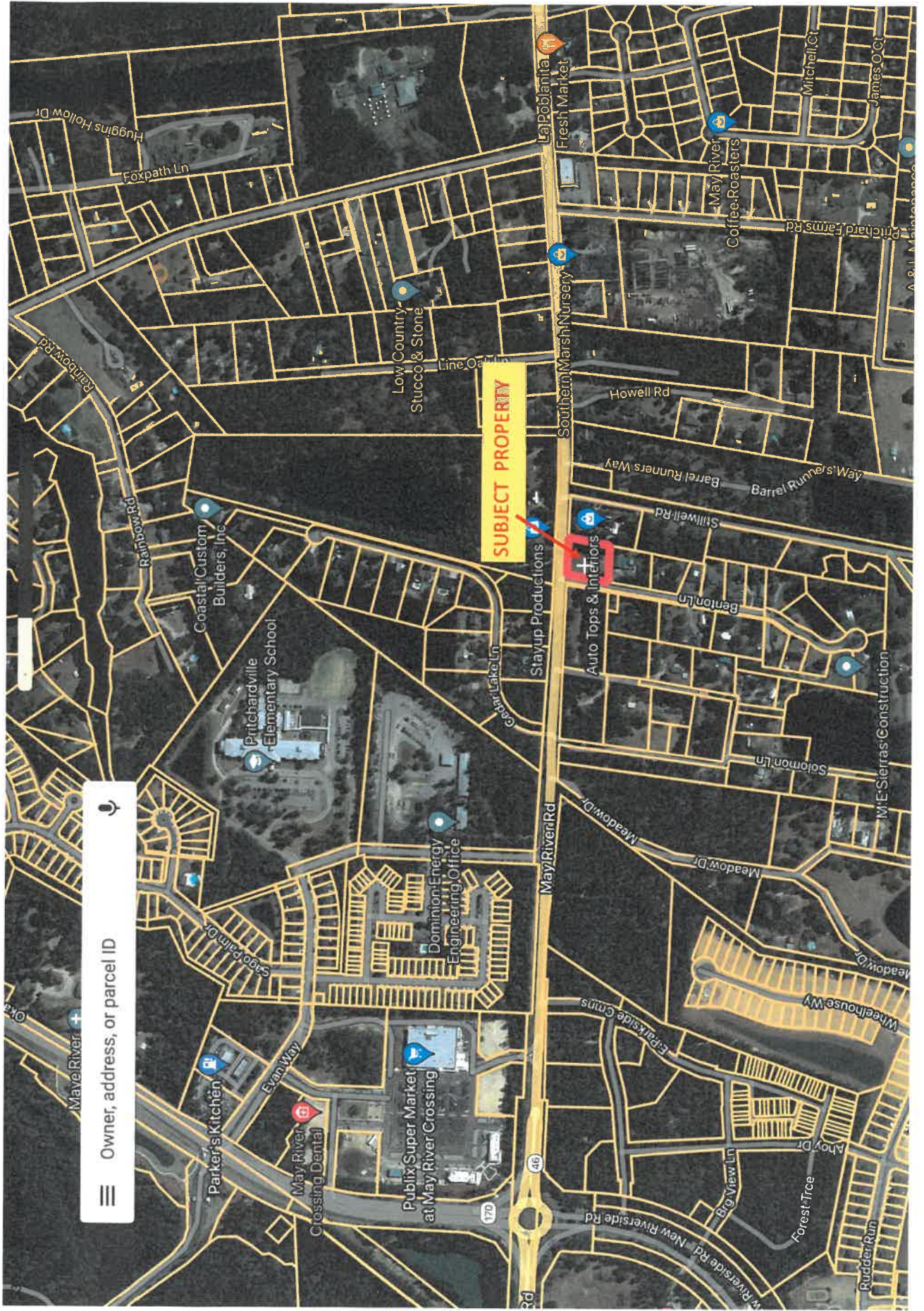
REFERENCE: AS-BUILT SURVEY, PARCEL 15 D, THE MAP IS BEING PREPARED BY BEAUFORT COUNTY, BEAUFORT COUNTY, SOUTH CAROLINA, BY COUNTY OF BEAUFORT, S.C. PLANS 625-036-000-0010-008, 009, 010, AND 011, AND PARCELS 16 B-1, 16 B-2, AND 16 B-3, BEAUFORT COUNTY, S.C. PLANS 625-036-000-0010-008, 009, 010, AND 011.

FLOOD INFORMATION:
IN MY OPINION, ACCORDING TO THE FLOOD ZONE MAP FOR BEAUFORT COUNTY, SOUTH CAROLINA, COMPILED BY THE S.C. DEPARTMENT OF NATURAL RESOURCES, LAST REVISED 05-25-94, THE PROPERTY IS LOCATED IN FLOOD ZONE C. NO BARE FLOOD ELEVATION. BEFORE BUILDING, PLEASE VERIFY WITH THE COUNTY ENGINEERING DEPARTMENT.

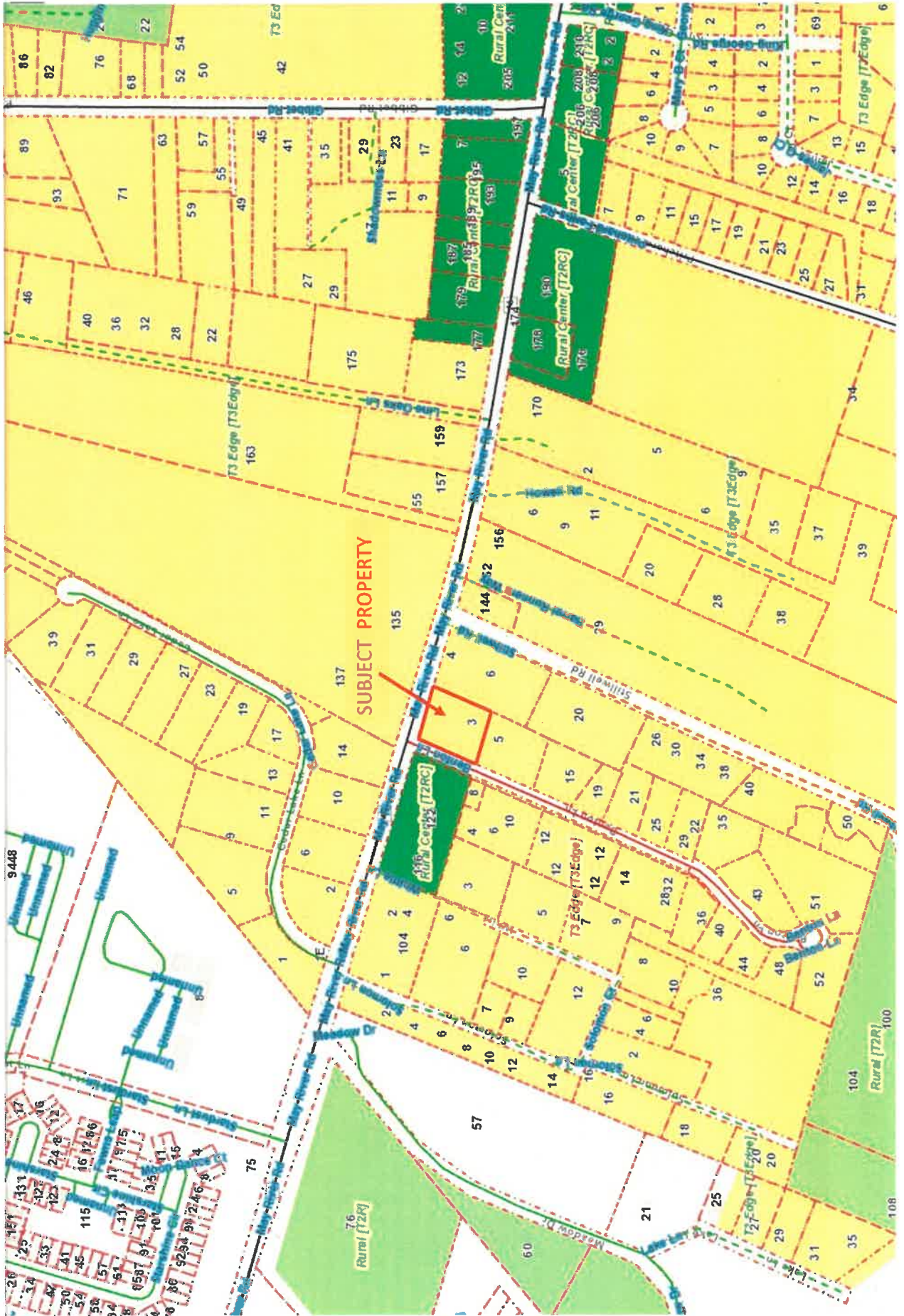
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AERIAL SITE MAP



ADJACENT ZONING MAP

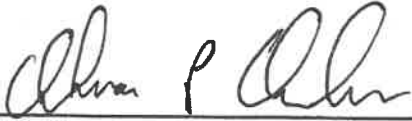


Rezoning Letter

On 10/07/2022, Eyeland Properties, LLC,(Michael A. Campbell & Michael R. Campbell) made in agreement with Delmar P. Decker(seller) to purchase 3 Benton Lane, Bluffton, SC, 29910. The purchase agreement states that Eyeland Properties, LLC,(Michael A. Campbell & Michael R. Campbell) has a due diligence period that allows Eyeland Properties, LLC, to get Beaufort County to change the zoning of the property from T3 Edge to Rural Center(T2RC).

Beaufort County states that they need signatures from both parties stating that they agree on the land to be rezoned from T3 Edge to Rural Center(T2RC).

Delmar P. Decker gives the right for the land to be rezoned to Rural Center(T2RC).



Eyeland Properties, LLC,(Michael A. Campbell & Michael R. Campbell)



Michael A. Campbell



Michael R. Campbell



MEMORANDUM

TO: Beaufort County Planning Commission

DATE: January 5, 2023

SUBJECT: Text Amendment to the Community Development Code (CDC) Section 3.4.50 - Cultural Protection Overlay (CPO) Zone Standards

A. BACKGROUND: The Cultural Protection Overlay (CPO) Zone was originally adopted in April 1999 when the County adopted the Zoning and Development Standards Ordinance (ZDSO). The CPO Zone was formulated through a community-based process. When Beaufort County adopted the Community Development Code (CDC) in 2014, the CPO Zone remained in the new code and remains intact.

Purpose of CPO District: The CPO Zone applies to the entirety of St. Helena Island except for Dataw, Harbor, Hunting and Fripp Islands. The purpose of the CPO Zone is defined in the CDC as follows: “The Cultural Protection Overlay (CPO) zone is established to provide for the long term protection of the culturally significant resources found on St. Helena Island. The CPO zone acknowledges St. Helena's historic cultural landscape and its importance as a center of Beaufort County's most notable concentration of Gullah culture.”

Summary of CPO District: The CPO Zone establishes development and use restrictions that may otherwise be permitted in the underlying zoning district. These restrictions include developments “that restrict access to water and other culturally significant locations, and franchise design.” The CPO Zone also specifically prohibits the following uses:

- Restricted Access (Gated Communities)
- Resorts
- Golf Courses (defined as having nine or more holes)

B. SUMMARY OF PROPOSED AMENDMENTS: The Beaufort County Administration is proposing amendments to the CPO Zone to include additional text (“Amendments”). The purpose of the Amendments is to allow greater land use flexibility by permitting previously prohibited uses in the CPO Zone, but only if certain conditions are met which further protect and otherwise enhance the purpose of the CPO Zone. The Amendments would apply to parcels containing a minimum of 50 acres of high ground. It would require a developer to enter into a Development Agreement with Beaufort County for the purpose of ensuring that additional restrictions and protections are in place to “protect and enhance the surrounding community, environment, and the CPO”. The proposed Amendments to the CPO Zone are underlined and highlighted on the next page.

3.4.50 Cultural Protection Overlay (CPO) Zone Standards

A. Purpose

The Cultural Protection Overlay (CPO) zone is established to provide for the long term protection of the culturally significant resources found on St. Helena Island. The CPO zone acknowledges St. Helena's historic cultural landscape and its importance as a center of Beaufort County's most notable concentration of Gullah culture.

B. District Boundaries

The boundaries of the CPO zone on St. Helena Island are depicted on the Beaufort County Official Zoning Map.

Where the CPO zone is applies, the permitted uses shall

be limited to the base zoning, except where additional

limitations are established within the CPO zone.

C. Site Design

Design features that restrict access to water and other culturally significant locations, and franchise design are prohibited.

D. Use Limitations

The following specific uses are deemed to be incompatible with the CPO zone; and therefore, are prohibited unless:

1. The parcel contains fifty (50) acres of highland; and

2. A Development Agreement is entered into with Beaufort County that imposes and implements criteria (e.g. additional buffers, density reductions, additional open space allocations, dock spacing limitations, infrastructure improvements, local cultural support mechanisms, etc.) that protects and enhances the surrounding community, environment, and the CPO zone; and

3. The Development Agreement shall include terms for the regulation of land uses in order to protect and otherwise improve the CPO zone more significantly.

Restricted Access (Gated Communities).

An intentionally designed, secured bounded area with designated and landscaped perimeters, usually walled or fenced, that are designed to prevent access by non-residents.

Resort

This use includes lodging that serves as a destination point for visitors and designed with some combination of recreation uses or natural areas. Typical types of activities and facilities include marinas, beaches, pools, tennis, golf, equestrian, restaurants, shops, and the like. *This restriction does not apply to ecotourism or its associated lodging.*

Golf Course

This use includes regulation and par three golf courses having nine or more holes.