



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

**Chairman**

ED PAPPAS

**Vice Chairman**

RANDOLPH STEWART

**Commission Members**

KEVIN HENNELLY

VACANT

CECILY MCMILLAN

DANIEL RIEDEL

GLENN MILLER

VACANT

GAIL MURRAY

**County Administrator**

ERIC GREENWAY

**Staff Support**

ROBERT MERCHANT

**Administration Building**

Beaufort County Government

Robert Smalls Complex

100 Ribaut Road

**Contact**

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Beaufort, South Carolina 29901-1228

(843) 255-2140

[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

# Planning Commission Agenda

Monday, March 6, 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](http://WWW.BEAUFORTCOUNTYSC.GOV) AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304.

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 – February 6, 2023
5. APPROVAL OF AGENDA
6. CITIZEN COMMENTS – NON-AGENDA ITEMS  
(Comments are limited to 3 minutes.)

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## ACTION ITEMS

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7. **TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):** APPENDIX B.3 (PERMITTED USES AND DEFINITIONS) TO ESTABLISH STANDARDS FOR SHORT-TERM RENTALS IN THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE
8. **ZONING MAP AMENDMENT/REZONING REQUEST** FOR 2.81 ACRES (R600 008 000 0625 0000) LOCATED AT THE INTERSECTION OF OKATIE HIGHWAY (170) AND LOWCOUNTRY DRIVE (462) FROM T2 RURAL (T2R) TO C4 COMMUNITY CENTER MIXED-USE (C4CCMU)
9. **DIRECTOR'S REPORT**

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## DISCUSSION ITEMS

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10. CHAIRMAN'S REPORT
11. 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, February 6, 2023 at 6:00 p.m.

**MEMBERS PRESENT:**

Mr. Ed Pappas, Chairman  
Mr. Randolph Stewart, Vice Chairman  
Dr. Caroline Fermin  
Mr. Glenn Miller  
Ms. Cecily McMillan  
Mr. Dan Riedel

**MEMBERS ABSENT:**

Ms. Gail Murray  
Mr. Kevin Hennelly

**STAFF PRESENT:**

Mr. Robert Merchant, Planning and Zoning Director  
Mr. Mark Davis, Planning and Zoning Deputy Director  
Mrs. Chris DiJulio-Cook, Senior Administrative Specialist  
Ms. Kristen Forbus, Long Range Planner

**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:** Mr. Daniel Riedel made a motion to approve the January, 5, 2023 minutes. Dr. Caroline Fermin seconded. The motion passed unanimously.

**CITIZEN COMMENTS:** Mr. Pappas asked if there were any non-agenda citizen comments. There were none.

**ACTION ITEMS:**

**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):**

Mr. Robert Merchant gave a brief overview of the request to rezone 3 Benton Lane from T3 Edge to T2 Rural Center. The applicant would like to build a medical office there, not currently allowed under the existing zoning. Mr. Merchant explained that the staff recommendation was to deny the request because an adjoining property had already been rezoned but had not yet been developed and this would increase the area that is zoned commercial. In addition, SCDOT access management standards would require access to the property via Benton Lane, and not from May River Road, putting commercial traffic on a residential road.

Mr. Michael Kronimus, representing the applicant, spoke in favor of the rezoning stating the need for a medical facility based on the density of residential housing.

Dr. Michael Campbell, the applicant for the rezoning, stated he is requesting the rezoning so he can open a medical facility for his optometry practice.

Dr. Michael Richard Campbell, the applicant's son, spoke in favor of the rezoning.

Mr. Pappas opened the floor for citizen comments.

Ms. Felicia Roth, read a prepared statement against the rezoning.

Dr. Fermin made a motion to deny the zoning map amendment to rezone 1.0 acre at 3 Benton Lane from T3 Edge to T2 Rural Center. Mr. Glenn Miller seconded the motion. The motion passed 5:1 (**For: Fermin, Miller, Pappas, Riedel, and McMillan / Against: Stewart**)

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.1.60 (CONSOLIDATED USE TABLE), SECTION 3.2.60 (T2 RURAL CENTER STANDARDS) AND 4.1.220 (RESIDENTIAL STORAGE FACILITY) TO ALLOW RESIDENTIAL STORAGE FACILITIES IN T2 RURAL CENTER AS A CONDITIONAL USE**

Mr. Merchant explained that this was a citizen-initiated text amendment. The applicant is asking to add residential storage to the allowable uses in the T2RC zoning, as a conditional use

Ms. Nancy Haas, the applicant for the text amendment, explained that she was requesting the change based on the continued need for this type of business.

After some discussion, Mr. Pappas asked for a motion. Ms. Cecily McMillan motioned that the Commission deny the request for a text amendment to the CDC Sections 3.1.60, 3.2.60 and 4.1.220. Dr. Fermin seconded the motion. The motion passed 5:1 (**For: McMillan, Fermin, Miller, Pappas, and Riedel / Against: Stewart**)

**ONE YEAR REVIEW OF THE 2040 BEAUFORT COUNTY COMPREHENSIVE PLAN IMPLEMENTATION**

Mr. Merchant gave a slideshow presentation of some of the items, within the first 4 chapters of the Comp Plan, that have been implemented over the past year. He explained his intention is to come back to the March Planning Commission meeting with the remainder of the updates.

**CHAIRMAN'S REPORT:**

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

**ADJOURNMENT:** Chairman Pappas adjourned the meeting at 7:24 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:** Beaufort County Planning and Zoning Department  
**DATE:** February 22, 2023  
**SUBJECT:** Text Amendment to the Daufuskie Island Community Development Code

## **STAFF REPORT:**

### **A. BACKGROUND AND SUMMARY OF REQUEST:**

Through Ordinance 2020-32, robust short-term rental standards were established in the Community Development Code. At the time of adoption, the short-term rental use was added as a Special Use to all transect zones except T1 Natural Preserve. It is a Permitted Use in conventional zones except C3 Neighborhood Mixed Use, where it is a special use. It is not allowed in S1 Industrial. However, at that time, short-term rentals were not added to any of the Community Preservation Districts.

In December of 2022, The Daufuskie Island Council finished forming their proposed Short-Term Rental standards. The have since been presented to the County's Planning Department. The Planning Department has reviewed the standards along with the Daufuskie Island Council and are recommending approval of the proposed standards presented in this Staff Report.

Therefore, staff is proposing a change in the following Code Divisions: B.3.20, B.3.30, and B.3.30.A. The request is to allow the usage of Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial. This would reflect in:

- Adding the use to Division B.3.20 in the Consolidated Use Table and Land Use Definitions
- Establishing the new Division B.3.30 Other Standards
- Establishing the new subsection Division B.3.30.A Short-Term Rentals

Because of the lack of use standards in the Daufuskie Island Community Development Code, Division B.3.30 Other Standards is being proposed to establish a section for any future use standards that are to be adopted.

**B. STAFF RECOMMENDATION:** Staff recommends approval of the request.

### **C. ATTACHMENTS**

- Proposed changes B.3.20, B.3.30, and B.3.30.A

### B.3.20 - Consolidated Land Use Table and Land Use Definitions (Snippet)

Table B.3.20. Consolidated Use Table									
Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>OFFICES &amp; SERVICES</b>									
1. General Offices and Services 3,500 SF or less	—	C	—	C	C	P	P	P	<p>1. <u>Bank/Financial Services.</u> Financial institutions, including, but not limited to: banks, credit agencies, investment companies, security and commodity exchanges, ATM facilities.</p> <p>2. <u>Business Services.</u> Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, travel agencies, landscaping and tree removal companies, exterminators, carpet cleaners, and contractors' offices without exterior storage.</p> <p>3. <u>Business Support Services.</u> Establishments providing services to other businesses, including, but not limited to: computer rental and repair, copying, quick printing, mailing and mailbox services.</p> <p>4. <u>Personal Services.</u> Establishments providing non-medical services to individuals, including, but not limited to: barber and beauty shops, dry cleaners, small appliance repair, laundromats, massage therapists, pet grooming with no boarding, shoe repair shops, tanning salons, funeral homes. These uses may include incidental retail sales related to the services they provide.</p> <p>5. <u>Professional and Administrative Services.</u> Office-type facilities occupied by businesses or agencies that provide professional or government services, or are engaged in the production of intellectual property.</p>
2. General Offices and Services 10,000 SF or less	—	—	—	—	—	P	P	P	
3. Animal Services: Clinic/Hospital	—	—	—	—	—	C	P	P	An establishment used by a veterinarian where animals are treated. This use may include boarding and grooming as accessory uses.
4. Animal Services: Kennel	—	C	—	C	C	C	P	P	A commercial facility for the boarding, breeding, and/or maintaining of animals for a fee that are not owned by the operator. This use includes pet day care facilities, animal training facilities (except horses - see "Commercial Stables"), and may include grooming as an accessory use. This use includes the breeding of animals in outdoor structures, cages or pens for sale, but does not include animals for sale in pet shops (see "General Retail").
5. Body Branding, Piercing, Tattooing	—	—	—	—	—	S	S	S	An establishment whose principal business is the one or more of the following: any invasive procedure in which a permanent mark is burned into or onto the skin using either temperature, mechanical or chemical means; creation of an opening in the body for the purpose of inserting jewelry or other decorations (not including ear piercing); and/or placing designs, letters, figures, symbols or other marks upon or under the skin of any person using ink or other permanent coloration.
6. Day Care: Family Home (up to 8 clients)	—	C	—	C	C	C	S	S	A state-licensed facility in a private home where an occupant of the residence provides non-medical care and supervision for up to 8 unrelated adults or children, typically for periods of less than 24 hours per day for any client.

7. Day Care: Commercial Center (9 or more clients)	—	—	—	—	—	C	S	S	A state-licensed facility that provides non-medical care and supervision for more than 8 adults or children, typically for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: nursery schools, preschools, after-school care facilities, and daycare centers.
8. Short-term Rentals	—	S	S	S	S	P	P	P	A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive days. In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary. This definition does not regulate or replace other definitions for real or personal property taxes. Those standards must be complied with in accordance with the applicable regulations and State Laws.
9. Lodging: Bed and Breakfast (5 rooms or less)	—	C	—	C	C	P	P	P	The use of a single residential structure for commercial lodging purposes, with up to 5 guest rooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and where the owner resides on the property as his/her principal place of residence.
10. Lodging: Inn (up to 24 rooms)	—	—	—	—	S	P	P	P	A building or group of buildings used as a commercial lodging establishment having up to 24 guest rooms providing lodging accommodations to the general public.
11. Lodging: Hotel (25 to 50 rooms)	—	—	—	—	—	S	P	P	A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public.
12. Residential Storage Facility	—	—	—	—	—	S	S	S	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods. Outdoor storage of boats, trailers, and vehicles may be provided as an accessory use.
13. Medical Service: Hospital	—	—	—	—	—	S	P	P	An institution licensed by the State, where people, including inpatients, receive medical, surgical or psychiatric treatment and nursing care.
14. Medical Service: Clinics/Offices	—	—	—	—	—	P	P	P	1. <u>Clinic.</u> A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: Medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, other allied health services. These facilities may also include incidental medical laboratories and/or pharmacies. Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative." 2. <u>Medical Office.</u> A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is classified under "Medical Services - Clinic." Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative."

<p><del>14</del> 15. Vehicle Services: Minor Maintenance and Repair</p>	-	C	-	C	C	P	P	P	<p>Incidental minor repairs to include replacement of parts and service to passenger cars and light trucks, but not including any operation defined as "Vehicle Services - Major Maintenance and Repair" or any other operation similar thereto. Examples include quick service oil, tune-ups, tires, brake and muffler shops. This use also includes car washes and detailing businesses as a principal use.</p>
<p><del>15</del> 16. Vehicle Services; Major Maintenance and Repair</p>	-	-	-	-	-	S	S	S	<p>General repair, rebuilding or reconditioning of boats and/or motor vehicles; collision service including body or frame straightening or repair; vehicle paint shops; auto wrecker services.</p>

## B.3.30 – Other Standards

### A. Short-Term Rental

#### 1. Purpose and Applicability.

- a. **Purpose.** The County is committed to working to protect the traditional quality of life and character of its residential neighborhoods and coastal islands. The County has concerns about permitted short-term rentals resulting in increased traffic, noise, trash, parking needs, safety and possible adverse impacts and other undesirable changes to the nature of the historic districts of Daufuskie Island. Therefore, the County Council finds it appropriate and in the best interests of its residents, property owners, and visitors to regulate Short-Term Rental Properties (STRPs) within all Transect Zones on unincorporated Daufuskie Island.

This Article sets out standards for establishing and operating Short-Term Rental Properties. These regulations are intended to provide for an efficient use of residential dwellings as STRPs by:

- 1) Providing for an annual permitting process to regulate STRPs;
- 2) Balancing the interests of owner-occupied dwellings with properties that are frequently used in whole or in part by Short-Term Rental Tenants.
- 3) Allowing homeowners to continue to utilize their residences in the manner permitted by this Ordinance for the Zoning District in which a particular home is located.
- 4) Providing alternative accommodation options for lodging in residential dwellings;
- 5) Complementing the accommodation options in environments that are desirable and suitable as a means for growing tourism and,
- 6) Providing an opportunity for public comment on the granting of STRP permits in residential transect zones.

#### b. Applicability.

- 1) **Short-Term Home Rental (STHR).** A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive days. The subject property must be a legally permitted dwelling unit of one or more rooms arranged for complete independent housekeeping purposes with space for living and sleeping, facilities for eating and cooking, and provisions for sanitation. For the purposes of this regulation and for the



avoidance of doubt, recreational vehicles, campers, fifth-wheel trailers, tents, shipping containers, and motor vehicles are not considered dwelling units. In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary. This definition does not regulate or replace other definitions for real or personal property taxes. Those standards must be complied with in accordance with the applicable regulations.

- 2) **Applicable Zoning Districts.** STRPs shall be allowed within the Zoning Districts of this Ordinance in accordance with Division B.3.20: Consolidated Land Use Table and Land Use Definitions.
- 3) **Application.** Applications for STRPs shall be made in compliance with this Article.
- 4) All legally permitted dwelling units operating as STRs up through the year 2022 which can provide proof that accommodation taxes have been paid shall be allowed to continue to operate. All new STRs thereafter shall be subject to the processes established in B.3.20.

- c. **Registration.** All STRPs require a Short-Term Rental Property (STRP) Permit and Business License. Upon adoption of this Ordinance, STRPs will have 60 calendar days to submit applications to comply with the provisions of this Article. All STRs grandfathered shall complete an STR application and submit to the county to receive necessary permits.

## 2. **Operating Standards and Requirements.**

### a. **Permits and Renewals.**

- 1) After a STRP use has been authorized through the applicable zoning process(es), a Short-Term Rental Property (STRP) Permit for a STRP use and a Business License must be obtained prior to offering, advertising, or providing Short-Term Rental Properties for lodging as provided for in this Article.
- 2) Short-Term Rental Property (STRP) Permits for all STRP uses must be renewed annually in compliance with this Article.
- 3) STRP permits are not transferrable when a dwelling is sold. The new owner must complete the application process for a new permit.

### b. **Short-Term Rental Property Tenant Notices.**

- 1) Each STRP must contain a Short-Term Rental Tenant notice posted in each room where Short-Term Rental Tenants may lodge. The notice must provide the following information:

- a. Contact information for the owner of the STRP ;
  - b. Short-Term Rental Property (STRP) Permit Number for the STRP use;
  - c. Trash collection location and schedules, if applicable; and
  - d. Fire and Emergency evacuation routes.
- 2) A permanent 8.5" x 11" weatherproof sign shall be installed at the entrance to the property with the following information clearly shown:
    - a. The street address;
    - b. The STRP License Number;
    - c. The 24-hour emergency contact's name and telephone number; and
    - d. Maximum occupancy.
  - 3) Each STRP must contain a prominently posted "Good Neighbor Notice" providing information about local rules and regulations such as age limits for driving golf carts, local leash laws, "lights out" regulations during turtle nesting season, and information about the Beaufort County noise ordinance #2021/07.

### 3. **General Standards.**

#### a. **Use Limitations and Standards.**

- 1) Legally permitted Principal Dwelling Units and Accessory Dwelling Units may be used as STRPs, even when they are located on the same property; however, Accessory Structures shall not be used as STRPs.
- 2) Parking for Short-Term Rental Tenants shall comply with requirements in Division 5.5 of the County Community Development Code.
- 3) Signage advertising STRPs is prohibited in Residential Zoning Districts.
- 4) Due to Short-Term rentals on Daufuskie Island prominently being served by Well and Septic systems, maximum occupancy shall be considered. The maximum occupancy is two adults per bedroom plus two additional adults. Persons aged 12 years and older are to be considered adults. All persons aged less than 12 years old do not count against the maximum occupancy.
- 5) Any designated agent shall be identified on the application for the Short-Term permit and posted within the rental.

- 6) The owner must have a plan for the proper disposal and removal of trash and shall ensure any outdoor trash containers remain secured to avoid spills, animal intrusions, and unsightly conditions.

b. **Advertising.**

- c. Whether by a hosting platform, via Internet or paid advertising, or other postings, advertisements, or announcements, the availability of a STRP shall include the County issued Short Term Rental Property (STRP) Permit Number.

d. **Annual Short-Term Rental Property (STRP) Permit Renewal.**

- 1) Short-Term Rental Property (STRP) Permits for all STRPs must be renewed annually. An application for annual renewal of the Short-Term Rental Property (STRP) Permit must include:
  - a. The application fee.
  - b. A notarized affidavit signed by the property owner stating that the type of STRP use and the information submitted as part of the application for the previous year's Short-Term Rental Property (STRP) Permit for the STRP use has not changed in any manner whatsoever and that the STRP use complies with the most recently adopted version of this Article (form of Affidavit Provided by the County). A legible copy of a valid photo ID may be submitted in lieu of providing a notarized signature; and
  - c. The applicant shall file an application for a new Short-Term Rental Property (STRP) Permit for a STRP use if the requirements are not met.
- 2) If the Director of the Community Development Department determines that the STRP use is not consistent with the Special Exception that authorizes the use and/or Site Plan Review approval that authorizes the use, the applicant shall file an application for a new Short-Term Rental Property (STRP) Permit for the STRP use, including applicable Special Exception and/or Site Plan Review applications and fees.
- 3) By the end of January of each calendar year, the owners of all registered STRPs will be mailed an annual renewal notice informing them that they must renew the Short-Term Rental Property (STRP) Permit for the STRP use on or before April 1st of the same calendar year or their existing Short-Term Rental Property (STRP) Permit will expire. The Short-Term Rental Property (STRP) Permit for the STRP use will terminate on April 1st of each year regardless of whether the applicant receives notice from the Zoning and Planning Department Director.

4. **Use Limitations and Requirements.**

- a. **Applicability.** The limitations and requirements of this Section apply to all types of Short-Term Rental Properties (STRPs).
- b. **Application Submittal Requirements.** No application for a STRP shall be accepted as complete unless it includes at minimum the required fee and the information listed below.
  - 1) The name, address, email, and telephone number of all property owners of the Short-Term Rental Property (STRP).
  - 2) Completed Short-Term Rental Property application signed by all current property owner(s). For properties owned by corporations or partnerships, the applicant must submit a resolution of the corporation or partnership authorizing and granting the applicant signing and authority to act and conduct business on behalf of and bind the corporation or partnership.
  - 3) Restricted Covenants Affidavit(s) signed by the applicant or current property owner(s) in compliance with state law.
  - 4) Address and Property Identification Number of the property on which the STRP is located.
  - 5) The type of Dwelling Unit(s) that is proposed to be used as a STRP must be a legally permitted dwelling unit of one or more rooms arranged for complete independent housekeeping purposes with space for living and sleeping, facilities for eating and cooking, and provisions for sanitation.
  - 6) The maximum number of bedrooms in the Dwelling Unit(s) proposed to be used as a STRP.
  - 7) A fully executed property inspection certificate completed by a licensed South Carolina Home Inspector. A property inspection report shall only be required every three years but in intermediate years, to renew the STRP Permit, the Applicant must sign an affidavit attesting to the fact that no changes to the property have occurred that would adversely affect compliance with life/safety codes.
  - 8) An insurance certificate verifying public liability insurance of \$500,000.00.

5. **Enforcement and Violations.**

- a. Notwithstanding the provisions of this Ordinance, a STRP Short-Term Rental Property (STRP) Permit may be administratively revoked by the Community Development Department Director or his designee if the STRP has violated the provisions of this Article on three or more occasions within a 12-month period. Provided however, a STRP Short-Term Rental Property (STRP) Permit may be immediately revoked if the Community Development Department Director determines the STRP has Building

Code violations, there is no Business License for the property, the property is being used in a manner not consistent with the Short-Term Rental Property (STRP) Permit issued for the STRP use, or the advertisement for the STRP does not include the County issued Short-Term Rental Property (STRP) Permit Number.

- b. If a STRP Short-Term Rental Property (STRP) Permit is administratively revoked or an application for a STRP Short-Term Rental Property (STRP) Permit is administratively denied, a STRP owner (or authorized agent) may appeal the Community Development Department Director's administrative decision revoking or denying the STRP Short-Term Rental Property (STRP) Permit to the Board of Zoning Appeals within 30 calendar days from the date of the denial or revocation. All appeals shall be addressed in accordance with the appeal procedures as defined in the Community Development Code.
- c. Subsequent Application. Once a County-issued Short-Term Rental Property (STRP) Permit and/or a Business License for a STRP use has been revoked, no new Short-Term Rental Property (STRP) Permit and/or Business License for a STRP use shall be issued to the applicant for the same property for a period of one year from the date of revocation. Upon expiration of the revocation period, a new Short-Term Rental Property (STRP) Permit application for a STRP use must be submitted in accordance with this Article. This provision may be waived provided the party is sold to a new owner that has no business or personal affiliation with the previous owner and provided a penalty of \$500.00 is paid by the owner/applicant at the time the Short-Term Rental Property (STRP) Permit application for a STRP use is filed.



# MEMORANDUM

**TO:** Beaufort County Planning Commission

**FROM:** Robert Merchant, AICP, Beaufort County Planning and Zoning Department

**DATE:** February 22, 2023

**SUBJECT:** ZONING MAP AMENDMENT/REZONING REQUEST FOR 2.81 ACRES (R600 008 000 0625 0000) LOCATED AT THE INTERSECTION OF OKATIE HIGHWAY (170) AND LOWCOUNTRY DRIVE (462) FROM T2 RURAL (T2R) TO C4 COMMUNITY CENTER MIXED-USE (C4CCMU).

## **STAFF REPORT:**

### **A. BACKGROUND:**


















<b>Case No.</b>	CDPA-000026-2023
<b>Owner:</b>	Richard Varn Cooler, Cooler Corner LLC
<b>Property Location:</b>	Located at the Intersection of Okatie Highway (SC 170) and Lowcountry Drive (SC 462)
<b>District/Map/Parcel:</b>	R600 008 000 0625 0000
<b>Property Size:</b>	2.81 Acres
<b>Current Future Land Use Designation:</b>	Rural
<b>Current Zoning District:</b>	T2 Rural
<b>Proposed Zoning District:</b>	C4 Community Center Mixed-Use

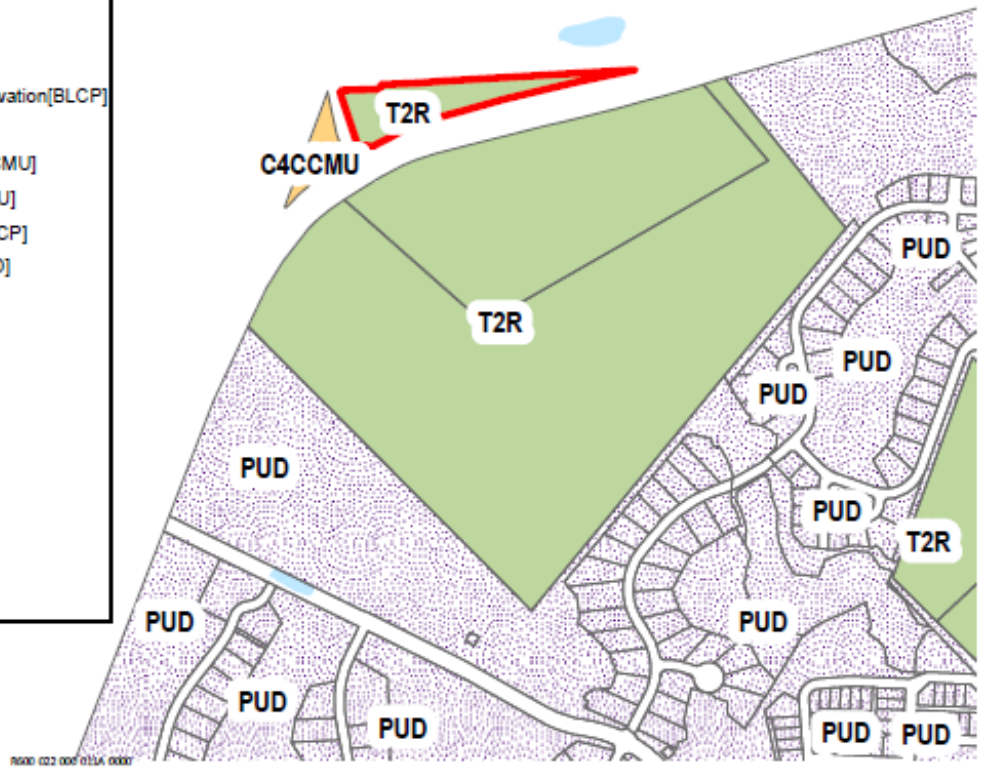
**B. SUMMARY OF REQUEST:** When Okatie Highway (SC 170) was widened and realigned, it rendered two remnants of the greater Cooler tract on the other side of the highway. One of the remnants (R600 008 000 0623 0000) is currently C4, and the County is requesting for the other parcel (R600 008 000 0625 0000) to match in zoning (see attached map).

Therefore, the County seeks to change the zoning of a 2.81-acre parcel at the corner of Okatie Highway (SC 170) and Lowcountry Drive (SC 462). The property is currently zoned T2 Rural. This rezoning seeks C4 Community Center Mixed-Use.


















- C. EXISTING ZONING:** The lot is currently zoned T2 Rural (T2R), which permits residential development at a density of one dwelling unit per three acres. T2 Rural also permits very limited non-residential uses.
- D. PROPOSED ZONING:** The CDC defines the Community Center Mixed Use district as “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. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.” Businesses such as General Retail, Restaurant, General Offices, and Light Industrial are some of the permitted/conditional uses. The proposed 2.81 acres of C4 zoning could potentially yield approximately 25,000 square feet of commercial space or approximately 28 multi-family dwelling units, or a combination thereof.
- E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** The Beaufort County Comprehensive Plan specifically addresses development along the SC 170 corridor. The plan calls for careful coordination between Jasper County and the City of Hardeeville on a shared vision for the corridor. This corner of SC 170 is surrounded by Jasper County, and Jasper County has it designated as a commercial node (see attached map).
- F. TRAFFIC IMPACT ANALYSIS (TIA):** 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 proposed zoning will most likely not accommodate a use that will trigger a TIA.
- G. SCHOOL CAPACITY IMPACTS:** The proposed zoning will not accommodate a use that will trigger a great school capacity impact.
- H. STAFF RECOMMENDATION:** Staff recommends approval.
- I. ATTACHMENTS**
  - Zoning Map (existing and proposed)
  - Jasper County Comprehensive Plan Future Land Use Map

# Existing Zoning

Legend	
	R600 8 625
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 8 625
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]

