



**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

DENNIS ROSS

GAIL MURRAY

County Administrator

ERIC GREENWAY

Staff Support

ROBERT MERCHANT

Administration Building

Beaufort County Government

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Planning Commission Agenda

Monday, April 3, 2023 at 6:00 PM

Council Chambers

County Administration Building, 100 Ribaut Road, Beaufort, SC

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

ACTION ITEMS

7. **TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):** DIVISION 4.2.20 (GENERAL STANDARDS AND LIMITATIONS) TO CLARIFY CONNECTIVITY STANDARDS FOR PRIMARY STRUCTURES REGARDING BUILDING CONNECTIONS; DIVISION 4.2.30 (ACCESSORY/SECONDARY DWELLING UNIT) TO MODIFY ALLOWABLE DENSITY TO PROVIDE OPPORTUNITY FOR AN ADDITIONAL ACCESSORY DWELLING UNIT AND TO PROVIDE FLEXIBILITY FOR AREA OF UNITS; DIVISION 4.1.360 (SHORT-TERM RENTALS) TO MODIFY GENERAL STANDARDS TO ALLOW ONLY A PRINCIPAL DWELLING UNIT OR AN ACCESSORY DWELLING UNIT AS A SHORT-TERM RENTAL ON A SINGLE PARCEL

DISCUSSION ITEMS

8. ONE YEAR REVIEW OF THE 2040 BEAUFORT COUNTY COMPREHENSIVE PLAN IMPLEMENTATION – PART II
9. CHAIRMAN'S REPORT
10. ADJOURNMENT



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The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held in Council Chambers on Monday, March 6, 2023 at 6:00 p.m.

MEMBERS PRESENT:

Mr. Ed Pappas, Chairman
Mr. Randolph Stewart, Vice Chairman
Mr. Glenn Miller
Ms. Cecily McMillan
Mr. Dan Riedel
Ms. Gail Murray
Mr. Dennis Ross

MEMBERS ABSENT:

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 February 6, 2023 minutes. Mr. Glenn Miller seconded. The motion passed unanimously.

CITIZEN COMMENTS: Mr. Pappas asked if there were any non-agenda citizen comments.

Ms. Katherine Seeber, spoke of the work she and her archaeological team did on Pine Island. She stated they had gone above and beyond in terms of the science and the requirements.

ACTION ITEMS:

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:

Mr. Mark Davis gave an overview of the work staff has done with the Daufuskie Island Council to draft the text amendment governing short-term rentals on Daufuskie.

Ms. Beth McIntyre, Daufuskie Island Council, spoke on the process the Council used to come up with the short-term rental standards and answered the Commissioners’ questions.

Mr. John Schartner, also a member of the Daufuskie Island Council, told the commissioners that he had worked with the Daufuskie Island Codes Committee to help create the STR standards. As a councilor he

voted down the current proposal for special use permits in favor of conditional use permits. He also stated the majority of the residents preferred short-term rental permits as a conditional use and not a special use.

After much discussion, Chairman Pappas asked for a motion.

Mr. Riedel made a motion to table further discussion. Mr. Miller seconded the motion. The vote was 3:3 with one commissioner abstaining (**For: Riedel, Miller, and McMillan / Against: Ross, Miller, and Pappas / Abstaining: Stewart**). The motion failed.

Mr. Miller made a motion to meet with the residents of Daufuskie, the Daufuskie Alliance for Responsible Renters (DARR), and Daufuskie Island Council to gain more information but after further conversation, he withdrew his motion.

Ms. Gail Murray made a motion to recommend approval of the text amendment with the exclusion of the insurance requirement. Mr. Dennis Ross seconded the motion. The motion passed 5:2 (**For: Murray, Ross, Stewart, Pappas, and McMillan / Against: Riedel and Miller**)

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)

Mr. Merchant explained where the property was located and what the County is trying to do in requesting this rezoning to match another small, adjacent parcel owned by the same people.

The commissioners discussed concerns, asked questions of Mr. Merchant, and referred to the GIS map for clarification on the property's location.

Ms. Murray made a motion to recommend approval of the rezoning. Mr. Riedel seconded. The motion failed with a 2:5 vote (**For: Murray and Riedel / Against: Ross, Stewart, Pappas, Miller and McMillan**)

Mr. Riedel made a motion to not recommend the requested rezoning. Mr. Miller made a second to his motion. The motion passed 6:1 (**For: Riedel, Ross, Stewart, Pappas, Miller, McMillan / Against: Murray**)

DIRECTOR'S REPORT:

Mr. Merchant told the Planning Commission that he would follow up with part two of the Comprehensive Plan update at another meeting. Instead, he wanted to introduce a new dashboard, created by the County's Planning and Zoning and GIS staff. GIS staff were there to support the announcement to the commissioners. Mr. Ian deNeeve had to step out early but Mr. Dan Morgan was in attendance. Mr. Merchant also highlighted the contributions of Mrs. Nancy Moss, from the Planning Department.

Mr. Davis showed some of the capabilities of the new site and answered questions posed by the commissioners.

The commissioners thanked the staff and gave kudos for work well done.

CHAIRMAN'S REPORT:

Chairman Pappas welcomed the newest Planning Commissioner, Dennis Ross. He also thanked Dr. Caroline Fermin for her work on the Commission and gave an update on her pursuit of a new position within the County.

ADJOURNMENT: Chairman Pappas adjourned the meeting at 7:39 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: April 3, 2023

SUBJECT: Proposed Text Amendment to Divisions: 4.2.20 (General Standards and Limitations), 4.2.30 (Accessory/Secondary Dwelling Unit), and 4.1.360 (Short-Term Rentals)

STAFF REPORT:

A. SUMMARY OF PROPOSED REVISIONS:

- Divisions: 4.2.20.E- Standards for Freestanding Accessory Structures/Buildings
This amendment seeks to establish standards for a principal dwelling to consist of multiple structures connected via roofline covered walkways. This type of dwelling is common in areas of the County such as Spring Island where there is a desire to break up the massing of a large structure often used to preserve natural features of a lot. The allowance places a limit on the walkway(s) to not exceed 30 linear feet in combined length, be at least four feet wide, and meet all building code requirements. The roofline connecting walkway may be open or enclosed.
- Section 4.2.30- Accessory/Secondary Dwelling Unit
This amendment seeks to allow an additional accessory dwelling (ADU) unit on lots greater than three (3) acres where they are allowed per Table 4.2.20.A. Currently, one accessory dwelling unit is allowed per lot regardless of the acreage. In addition, the type and size of the accessory dwelling unit has been revised to provide for additional flexibility.
- Section 4.1.360.C- General Standards
Considering the amendment for an additional accessory dwelling unit being allowed, staff has amended the section that references the number of short-term rentals that can operate on a single-family residential lot. This change clarifies that only the principal dwelling unit or one accessory dwelling unit is allowed to be used as a short-term rental.

B. STAFF RECOMMENDATION: Staff recommends approval.

C. ATTACHMENTS:

1. Revised Community Development Code Section 4.2.20.E - Standards for Freestanding Accessory Buildings/Structures.
2. Revised Community Development Code Section 4.2.30 - Accessory/Secondary Dwelling Unit
3. Revised Community Development Code Section 4.1.360.C – General Standards

4.2.20.E. Standards for Freestanding Accessory Buildings/Structures.

1. Location.

a. General.

- (1) No accessory use, structure, or activity except water/marine-oriented facilities shall occupy or take place in a required front, side, or rear yard setback, except for permitted fences or walls erected on a property line or an ornamental pond.
- (2) Except in T1, T2R, and T2RL zones, all river, marsh, and ocean waterfront lots, and water/marine-oriented facilities, no accessory structure shall project beyond the front building line of the principal structure.
- (3) Except for fences, walls, swimming pools, hot tubs, and air conditioning compressor units, no accessory structures shall be located within five feet of a principal structure or any other accessory structure.
- (4) No accessory structure shall be located within any platted or recorded easement or over any known utility.
- (5) All freestanding accessory structures shall meet the side setbacks and building height standards for ancillary buildings in Article 3 (Specific to Zones).
- (6) Except for water/marine-oriented facilities, all freestanding residential accessory structures shall be set back from rear property lines as follows:
 - (a) Five feet for lots less than 10,000 square feet.
 - (b) Ten feet for lots between 10,000 square feet and one acre.
 - (c) Twenty-five feet for lots one acre or greater.
- (7) Freestanding non-residential accessory structures shall meet the rear yard setback for the principal structure.
- (8) Finished heated habitable spaces and garages that are connected to the primary structure via a roofline connecting walkway that meets building code shall be considered part of the primary structure. In these instances, the structure(s) become a part of the primary structure; thus, it is subject to primary structure setbacks and other building placement standards and shall match the primary structure's architectural design and material. The walkway connection(s) shall have a width that is greater than or equal to four (4) feet and may be open or enclosed. In no instance shall the roofline connecting walkways exceed a combined length of thirty (30) total linear feet. If the connection(s) and structure(s) do not meet these requirements, it shall be permitted as an accessory structure and subject to all accessory structure standards.

4.2.30 - Accessory/Secondary Dwelling Unit

An accessory/secondary dwelling unit, whether attached or detached, shall comply with the following standards:

- A. **Zones Allowed.** Accessory/secondary dwelling units shall be permitted as accessory uses to single-family detached residential dwelling units in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **Comply with Dimensional and Development Standards.** Accessory/secondary dwelling units shall comply with all dimensional and development standards in Article 3 (Specific to Zones).
- C. **Density.** ~~A maximum of one (1) accessory/secondary dwelling unit shall be permitted on a single-family residential lot.~~ Accessory Dwelling Unit(s) shall be permitted on a single-family residential lot as follows:
 - 1. One (1) Accessory/Secondary Dwelling Unit shall be permitted for lots less than three (3) acres.
 - 2. Two (2) Accessory/Secondary Dwelling Units shall be permitted for lots greater than or equal to three (3) acres.
- D. **Area of Unit.** In no instance shall the individual or combined total heated square footage of Accessory/Secondary Dwelling Unit(s) exceed the Primary Dwelling Unit's heated square footage.
 - 1. In T2 and all conventional zones, the unit shall be no more than 1,000 heated square feet or less than 300 heated square feet in area; or shall be within a carriage house building type, see Section 5.1.40 (Carriage House).
 - 2. In all transect zones except T2, the unit shall be within a carriage house building type, see Section 5.1.40 (Carriage House).
- E. **Design of Unit.** The unit shall maintain the architectural design, style, appearance and character of the principal single-family dwelling as a single-family residence.
- F. **Parking.** In Conventional zones one off-street parking space, in addition to that provided for the existing single-family dwelling, shall be provided for the unit.
- G. **Resale.** Accessory dwelling units shall not be sold apart from the principal dwelling upon the same lot where they are located.
- H. **Rental.** Accessory dwelling units shall not be leased or rented for tenancies of less than 30 consecutive days, unless approved as a short-term rental (STRP) following the requirements and procedures of Division 4.1.360.
- I. **No Recreational Vehicles and Travel Trailers.** Recreational vehicles and travel trailers shall not be used as accessory dwelling units.

4.1.360.C. General Standards.

1. Use Limitations and Standards.

- a. Legally permitted Principal Dwelling Units and Accessory Dwelling Units may be used as STRPs, ~~even when they are located on the same property;~~ however, in no instance shall a single-family residential lot contain more than one (1) STRP. ~~however,~~ Accessory Structures shall not be used as STRPs.
- b. Parking for Short-Term Rental Tenants shall be in compliance with Division ~~3-2~~ 5.5 of the County Community Development Code.
- c. Signage advertising STRPs is prohibited in Residential Zoning Districts.