



COUNTY COUNCIL OF BEAUFORT COUNTY

Community Development Department

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

Members:

Robert Semmler, Chairman
Randolph Stewart, Vice Chairman
Diane Chmelik
Caroline Fermin
Kevin Hennelly
Jason Hinchler
Cecily McMillan
Harold Mitchell
Ed Pappas

PLANNING COMMISSION
MONDAY, JANUARY 7, 2019, 6:00 P.M.
BLUFFTON LIBRARY
120 PALMETTO WAY, BLUFFTON, SOUTH CAROLINA

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place, and agenda of this meeting.

1. COMMISSIONER'S WORKSHOP – 5:30 P.M.
LARGE MEETING ROOM, BLUFFTON LIBRARY
2. REGULAR MEETING – 6:00 P.M.
LARGE MEETING ROOM, BLUFFTON LIBRARY
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MEETING MINUTES FROM DECEMBER 3, 2018 (backup)
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. NORTHERN BEAUFORT COUNTY MAP AMENDMENT:
T3 NEIGHBORHOOD TO T4 HAMLET CENTER OPEN (PARCELS R200 015 000 0310 0000, R200 015 000 0308 0000, R200 015 000 302A 0000). THE PROPERTIES ARE LOCATED AT 5, 7, AND 9 KATY CIRCLE ON LADY'S ISLAND; APPLICANT: THOMAS KOLEN (backup)
9. SOUTHERN BEAUFORT COUNTY MAP AMENDMENTS:
 - A. T3 HAMLET NEIGHBORHOOD TO T2 RURAL CENTER FOR R600 040 000 0448 0000 (5.09 ACRES ON THE SOUTH SIDE OF STROUP LANE ROAD APPROXIMATELY 475 FEET EAST OF BURNT CHURCH ROAD), APPLICANT: NANCY HOWES (backup)
 - B. EXISTING PLANNED UNIT DEVELOPMENT (SAWMILL FOREST PUD) TO T2 RURAL FOR R600 032 000 0005 0000 (2.4 ACRES ON THE WEST SIDE OF



TRIMBLESTONE ROAD DIRECTLY NORTH OF SAWMILL FOREST); APPLICANT:
COMMUNITY DEVELOPMENT STAFF (backup)

10. REVIEW AND RECOMMENDATION OF THE LADY’S ISLAND PLAN 2018
https://ladysislandplan.files.wordpress.com/2018/11/draft-ladys-island-area-plan-11-12-18_sm.pdf
11. NEW/OTHER BUSINESS:
 - A. NEW BUSINESS:
 - B. OTHER BUSINESS: NEXT SCHEDULED REGULAR PLANNING COMMISSION MEETING: MONDAY, FEBRUARY 4, 2019, 6:00 P.M., COUNCIL CHAMBERS, COUNTY ADMINISTRATION BUILDING, 100 RIBAUT ROAD, BEAUFORT, SOUTH CAROLINA
12. ADJOURNMENT



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The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, December 3, 2018, in County Council Chambers, Beaufort County Administration Building, 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman	Dr. Caroline Fermin	Ms. Cecily McMillan
Mr. Randolph Stewart, Vice Chairman	Ms. Diane Chmelik	Mr. Kevin Hennelly
Mr. Jason Hinch	Mr. Ed Pappas	

Members Absent: Mr. Harold Mitchell

Staff Present:

Mr. Eric Greenway, Community Development Director
Mr. Robert Merchant, Assistant Community Development Director
Ms. Melissa Peagler, Long-range Planner
Ms. Diane McMaster, Senior Administrative Specialist

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

PLEDGE OF ALLEGIANCE: Mr. Semmler led those assembled in Council Chambers with the pledge of allegiance to the flag of the United States of America and requested a moment of silence for the passing of former President George H.W. Bush.

REVIEW OF MEETING MINUTES: The Commissioners reviewed the November 5, 2018, minutes. Ms. McMillan requested that “Southern” be changed to “Northern” when describing the requested St. Helena street name change (Pea Patch Road). **Motion:** Dr. Caroline Fermin made a motion, and Ms. Diane Chmelik seconded the motion, **to accept the minutes, noting the one requested correction on page 1, first item for discussion.** The motion carried (**FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Hinch, and Pappas; ABSENT: Mitchell**).

CHAIRMAN’S REPORT: Clemson is ranked #2 in the nation. Go Tigers!

PUBLIC COMMENT ON NON-AGENDA ITEMS: None were received.

DISCUSSION / TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC) / SHORT TERM RENTALS: ARTICLE 3, SECTION 3.1.60 (CONSOLIDATED USE TABLE) AND 3.1.70 (LAND USE DEFINITIONS); ARTICLE 4, SECTION 4.1.360 (SPECIFIC TO USE) TO ADD NEW USES CALLED LIMITED HOME RENTAL AND EXTENDED HOME RENTAL

The Short-term rentals Amendment is a carryover from the Commission’s November 5, 2018, meeting. Ms. Melissa Peagler, Community Development Long-range Planner, addressed the following questions from the November 5 meeting:

- Length of stay less than 72 days – avoids 4% vs 6% State-regulated tax assessment
- Length of stay 72–144 days – reduces negative impact on residential neighborhoods

- ADA accessibility requirements in effect for a residence with four (4) or more sleeping units

Mr. Kevin Hennelly shared findings from his recent research regarding scenarios resulting in less rental restrictions:

- Primarily residential property vs true rental property
- Property owner living on premise

Mr. Hennelly also stated that several HOA's within the County allow only one (1) non-family member resident per household.

Mr. Eric Greenway explained that the Short-term rental Text Amendment is a staff-submitted item resulting from Beaufort County Council's directive to review and revise existing wording. The Community Development Code addresses short-term rentals, but County Council feels there are strong similarities between the Beaufort and Charleston County rental market environments which warrant revisions to our guidelines. Council is looking for recommendations from the Planning Commission and will move forward with revisions.

Mr. Ed Pappas voiced concern regarding sufficient controls and incentives for residents who may pursue the rental market. Mr. Greenway reiterated the need for an Ordinance which clearly defines what constitutes a short-term rental and provides set procedures and controls. The County Code Enforcement Division would then have clear guidelines when handling compliance issues. Currently, the County looks to the ZBOA for short-term interpretation guidance.

Mr. Jason Hincer requested clarification regarding the impact on PUD guidelines. Mr. Greenway explained that the more protective/restrictive standard would prevail. The Ordinance will help preserve the balance regarding residential property rights and enhance quality of life.

Mr. Randolph Stewart requested the following be noted in the minutes: Nationally, short-term rentals increase rental stock which in turn, negatively impact (increase) affordable housing pricing.

Under the new Ordinance, individuals marketing short-term rental property would be required to complete a County application, pay an application fee, acquire a business license, pay an accommodation tax, be subject to building inspection, be subject to Fire Marshall inspection, meet ADA requirements, and provide adequate, off-street parking. Those properties presently zoned for bed and breakfast or inn would be affected. Special exception zones "S" would require a public hearing, allowing residents to weigh in on proposed changes.

Any recommendation from the Planning Commission goes to the Natural Resources Committee and then directly to Beaufort County Council. A Natural Resources Committee recommendation on this subject matter would be a separate County Council Agenda item. Community Development Department staff is recommending approval.

A member of the community, Ms. Barbara O'Leary, addressed the Commission stating she is very much in favor of protecting neighbors' rights and maintaining a balance regarding short-term rentals and requested the Commission recommend the revisions.

With no further discussion, Mr. Semmler asked for a Motion. Ms. Cecily McMillan made a Motion to approve Staff's short-term rentals recommendation and Dr. Caroline Fermin seconded

the Motion. The Motion carried (**FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Pappas; OPPOSED: Hinchler; ABSENT: Mitchell**)

NEW/OTHER BUSINESS:

- **New Business:** None.
- **Other Business:** The next regularly scheduled Planning Commission meeting will be Monday, January 7, 2019, 6:00 p.m. Mr. Semmler reminded all Commissioners that when agenda items are predominantly South of the Broad, he would suggest having the meeting at the Bluffton library.
 - Ms. Barbara O’Leary, a Seabrook resident, asked for clarification regarding a letter she recently received – Seabrook Solar, LLC. Mr. Eric Greenway explained there was an Amendment to the Development Agreement. Per the Community Development Code, we are required to notify all property owners within 500 feet of the property involved. Beaufort County Council will address this matter at their December 10, 2018, meeting. The amendment addresses vegetation and reforestation of this property because they cannot replant all of the trees due to the solar panels on the property.

ADJOURNMENT: Dr. Caroline Fermin made the Motion to adjourn the meeting, and Mr. Ed Pappas seconded the Motion. The motion **carried (FOR: Semmler, Fermin, McMillan, Stewart, Chmelik, Hennelly, Hinchler, Pappas; ABSENT: Mitchell)**. Mr. Semmler adjourned the meeting at approximately 6:50 p.m.

SUBMITTED BY:

Diane McMaster, Community Development Senior Admin Specialist

Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: January 7, 2019

*Note: The video link of the February 5, 2018, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=3628*



PLANNING DIVISION MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Melissa Peagler, Long Range Planner
DATE: December 20, 2018
SUBJECT: Proposed Beaufort County Community Development Code (CDC) Zoning Map Amendment/Rezoning Request for approximately 2 acres at 5, 7, and 9 Katy Circle (R200 15 000 0310, R200 15 000 0308, and R200 015 000 302A) from T3N- Neighborhood to T4 – Hamlet Center Open

STAFF REPORT:

A. BACKGROUND:

Case No. ZMA-2018 - 16
Owner/Applicant/Agent: Thomas Kolen
Property Location: 5, 7 and 9 Katy Circle
District/Map/Parcel: R200 15 000 0310, R200, 15 000 0308, and R200 015 000 302A
Property Size: 2 acres approximately
Current Future Land Use Designation: Neighborhood / Mixed Use
Proposed Future Land Use Designation:
Current Zoning District: T3 -Neighborhood
Proposed Zoning District: T4 – Hamlet Center Open

B. SUMMARY OF REQUEST

The subject property consists of 2 acres located on Katy Circle Drive in on Lady's Island. Currently a residential structure is located on the property. Historically, the property had a light industrial use of a welding shop located on the property. The property is zoned T3-Neighborhood. The property owner intends to clean the property up and restore a user friendly environment with the option to extend the commercial uses from the adjacent T4-Hamlet Center to potential development.

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

1. **Is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code:** The proposed rezoning is consistent with the goals and policies of the Comprehensive Plan. The Land Use chapter designates the future land use of the property as Neighborhood –Mixed Use. The T4-Hamlet Center Open is a consistent zone with that proposed use. The proposed Lady’s Island Plan identifies the area as Village Edge resulting in the T4-Hamlet Center Open as an acceptable zone. The Lady’s Island Plan places additional focus on managing future growth. Any rezoning that could result in dense residential or commercial growth is recommended to be carefully considered by the Lady’s Island Community Preservation Committee.
2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances:** The proposed rezoning is not in conflict with the CDC or Code of Ordinances.
3. **Addresses a demonstrated community need:** Based on the recent support of the Lady’s Island Plan to effectively manage growth, the rezoning to T4 HCO, a mixed use district, could potentially result in a commercial use, light industrial or dense residential development.
4. **Is required by changing conditions:** The neighborhood has an older housing stock that is currently in transition of being remodeled or replaced.
5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land.** The proposed rezoning is adjacent to existing T4-Hamlet Center Open property but is accessed through Katy Circle which is zoned T3 Neighborhood. Katy Circle currently consists of only single-family homes.
6. **Would not adversely impact nearby lands.** It is unclear if this zoning would adversely impact or improve the property. Cleaning up and renovation of the current structure would improve the structure and some of the additional commercial uses that the T4-HCO zone would allow could be beneficial to the neighborhood. The current zoning would maintain the integrity of the neighborhood as residential. The road does not currently meet the required standards of some of the commercial activities that could develop under the T4-HCO zone. However, the T3N zone would also allow moderate-density multi-family development such as duplexes and mansion apartments developments which could result in a greater impact on Katy Circle than some of the potential commercial uses. T4HCO also allows higher density multi-family than what is permitted in T3N, such as apartment houses and townhouses. The rezoning of this property would not guarantee a commercial use and could result in higher residential density.
7. **Would result in a logical and orderly development pattern.** The proposed rezoning would result in a logical and orderly development pattern as it is adjacent to T4-HCO.

8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.** The proposed rezoning should result in minimal impact on the natural environment. Any additional development of the property will need to be addressed through adherence to the natural resource and stormwater standards in the Community Development Code.
9. **Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, storm water management, solid waste collection and disposal, schools, parks, police, and fire and emergency facilities):** The proposed rezoning would not result in an increase on the public facilities or infrastructure. The rezoning is located in a part of the island where public facilities are readily available. Lady’s Island is currently experiencing a higher capacity of traffic than desired. The Proposed Lady’s Island Plan identifies a need to preserve transportation capacity on the bridges and the main intersection. This rezoning could potentially result in additional traffic onto Lady’s Island.

D. STAFF RECOMMENDATION

After review of the guidelines set forth in Section 7.3.40 of the Community Development Code, staff would recommend denial of this rezoning. The requested zoning could allow potential traffic and density increases that could result in negative impacts on the residential neighborhood and street. The proposed Lady’s Island plan recommends careful consideration of any increase in density and traffic, the change in zoning could result in those increases.

E. Lady’s Island Community Preservation Committee

The Metropolitan Planning Commission met on December 17, 2018 and discussed the Katy Circle rezoning request. The committee voted against making a recommendation of approval for the zoning request. Those voting in favor were Pat Harvey-Palmer and Cecil Mitchell. Those voting against included Jason Hinchler, Bob Simmerly, and Paul Butare.

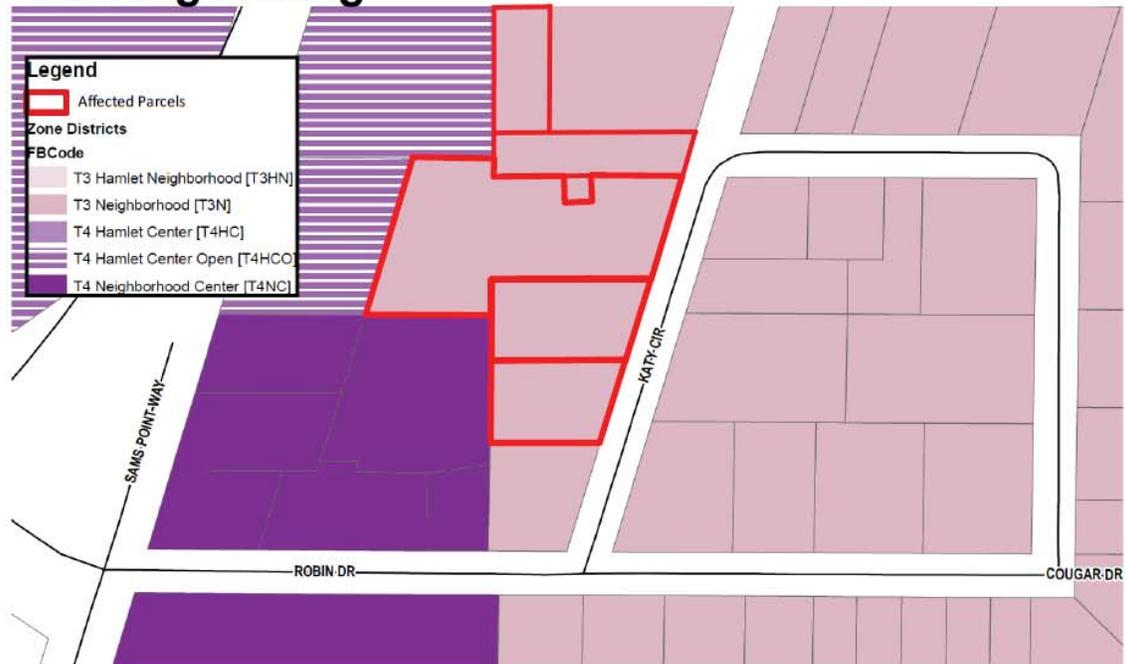
F. METROPOLITAN PLANNING COMMISSION RECOMMENDATION

The Metropolitan Planning Commission met on December 17, 2018 and discussed the Katy Circle rezoning request. Mike Tomy motioned to recommend denial of the rezoning application. Caroline Fermin seconded. Motion failed with Mike Tomy, Caroline Fermin and Robert Semmler voting yes; and Jim Crower, Bill Harris and Judy Alling voting no. The rezoning moves forward to the Beaufort County Planning Commission with no recommendation from the Metropolitan Planning Commission.

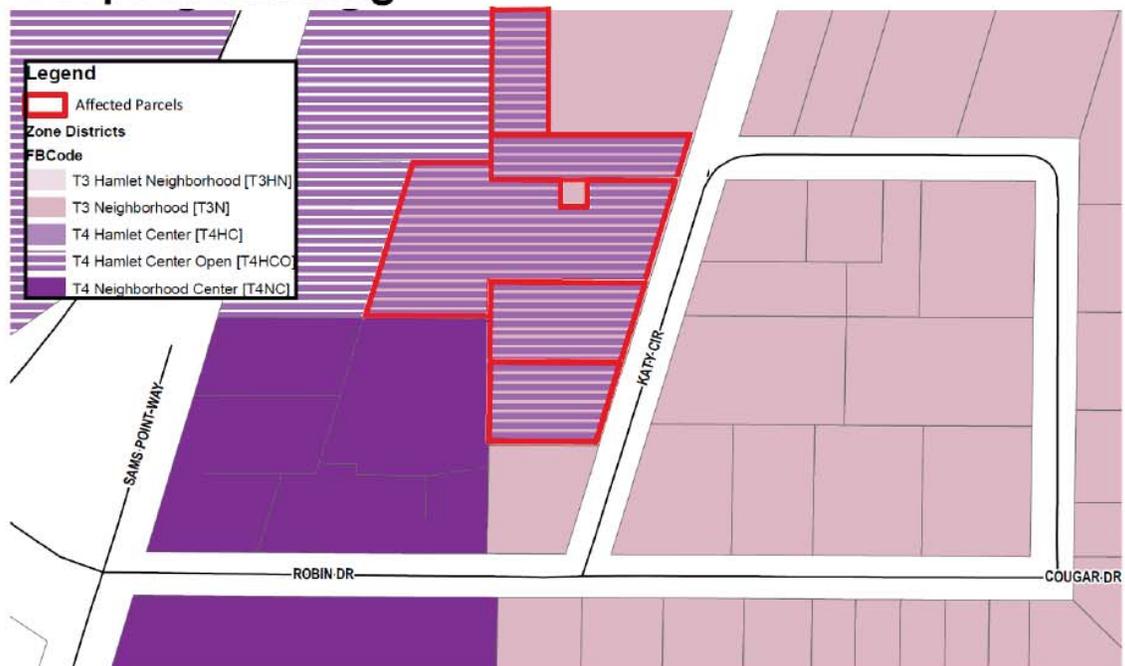
G. ATTACHMENTS:

- Before and After Zoning Map of site

Existing Zoning



Proposed Zoning









BEAUFORT COUNTY, SOUTH CAROLINA
PROPOSED 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 Zoning/Development Standards Ordinance (ZDSO) 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:
Tax District Number: _____ Tax Map Number: _____, Parcel Number(s): SEE OTHER SIDE
Size of subject property: APPROX 2 AC Square Feet / Acres (circle one) for list
Location: # 5 # 7 + # 9 KATY CIRCLE of lots

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? T4 Hamlet Center Open
(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: ?
(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)

RECEIVED

NOV 20 2018

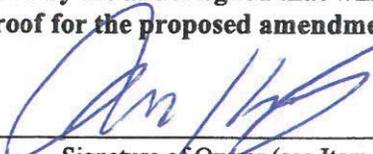
Community
Development Dept.

ZMA2018-16

9. Explanation (continue on separate sheet if needed): I AM PLANNING
ON CLEANING UP THIS AREA AND RESTORING
A USER FRIENDLY ENVIRONMENT WITH THE OPTION
TO HAVE EXISTING ZONING EXTENDED TO INCLUDE
#5 #7 & #9 KATY CIRCLE LOTS

LOT MAPS INCLUDE R200-15-310/15-734/15-302A/15-308

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.


Signature of Owner (see Item 5 on page 1 of 2) Date: 11-19-2018

Printed Name: THOMAS KOLEN Telephone Number: 608 781 7213

Address: W3615 CEMETERY LANE, COON VALLEY, WI 54623

Email: GONE FISHIN USA 2 @ YAHOO.COM

Agent (Name/Address/Phone/email): JAMI RANKIN / 843.321.2187 / rankin.jami@gmail.com

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.

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:



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Robert Merchant, AICP, Deputy Director, Community Development Department
DATE: December 20, 2018
SUBJECT: **Southern Beaufort County Map Amendment from T3 Hamlet Neighborhood to T2 Rural Center for R600 040 000 0448 0000 (5.09 acres on the south side of Stroup Lane Road approximately 475 feet east of Burnt Church Road)**

A. BACKGROUND:

Case No. ZMA-2018-15
Applicant: Nancy E. Howes
Property Location: Located in the Bluffton area on the south side of Stroup Lane Road approximately 475 feet east of Burnt Church Road
District/Map/Parcel: R600 040 000 0448 0000
Property Size: 5.09 acres
Future Land Use Designation: Urban/Mixed-Use
Current Zoning District: T3 Hamlet Neighborhood
Proposed Zoning District: T2 Rural Center

B. SUMMARY OF REQUEST:

Overview: The Beaufort County Community Development Department received an application to change the zoning of a 5.09 acre parcel off of Burnt Church Road from T3 Hamlet Neighborhood to T2 Rural Center. The subject parcel was zoned Alljoy Road Office Commercial/Mixed Use (OC/MU) District under the Zoning and Development Standards Ordinance from 2005 to 2014. The OC/MU district offered a wide range of residential and commercial uses. In 2014, the County adopted the Community Development Code and the zoning was changed to T3 Hamlet Neighborhood which is primarily a moderate density residential district. The current zoning was originally mapped during a charrette held in November 2011 and took effect when the CDC was adopted in December 2014.

T2 Rural Center: The T2 Rural Center zoning district allows for a diverse mix of land uses including residential, retail, service and some limited light industrial. The district is meant to be a lower intensity walkable transect zone. The site planning and design standards of T2 Rural Center are more flexible than those found in the higher transect zones, such as T4 Hamlet Center Open that adjoins this property to the west.

Neighboring Properties:

- **Lost Hollow Business Park/Sabrina Square:** To the west, the property adjoins an area (approximately 7.5 acres) that consists of contractor’s offices, a sign business, a golf cart repair shop, an electric substation and other similar uses (the applicant, Nancy Howes, has always envisioned having similar land uses on her property). These properties are currently zoned T4 Hamlet Center Open which is a zoning district better suited to the type of development found on Calhoun Street than the mix of uses found in this location.
- **“The Walk” Subdivision:** To the north, on the other side of Stroup Lane is land within the jurisdiction of the Town of Bluffton. This land is currently being developed by Pulte Homes as a 50 lot single-family subdivision called “The Walk.”
- **Other Adjoining Properties:** To the east is property owned by the Ulmer Family which is protected from development by a conservation easement purchased through the Rural and Critical Lands Preservation Program. To the south is the Devonwood Court Mobile Home Park.

C. **ANALYSIS:** Section 7.3.40 of the Community Development Code states that a zoning map amendment may be approved if the proposed amendment:

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

Both the Land Use and Economic Development chapters of the Comprehensive Plan identify the need to provide a sufficient quantity of suitably located land for non-retail commercial uses that promote the region’s economic health and diversity. The area proposed to be rezoned adjoins an area that has a mix of service and light industrial uses. The availability of land in southern Beaufort County for these types of uses is very limited.

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

The application as submitted consists of a “spot zoning” since it does not adjoin any other parcels zoned T2 Rural.

3. *Addresses a demonstrated community need.*

As stated above, the Comprehensive Plan documents a need to accommodate non-retail commercial uses for the purposes of diversifying the region’s economy and tax base.

4. *Is required by changing conditions.*

Not applicable.

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

The proposed zoning change fits well with the surrounding land uses with the exception of the single family subdivision that is currently being developed on the north side of Stroup Lane.

6. *Would not adversely impact nearby lands.*

As mentioned in #5 the only potential adverse impact would be on the residential development currently being constructed on the north side of Stroup Lane. Staff believes that its design guidelines, landscaping, and screening standards should minimize any adverse visual impacts from development on this site.

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

The site adjoins service and light industrial uses and is suitable for this type of development. The zoning would achieve this purpose.

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

Any future development or redevelopment of this site would be subject to the natural resource and stormwater standards in the Community Development Code.

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

The site currently only has access on Stroup Lane which is an unpaved private road. Future development that generates over 50 peak hour trips will necessitate the need for a traffic impact analysis and would likely trigger improving the access to this site.

D. STAFF RECOMMENDATION:

The change of zoning of the subject property from T3 Hamlet Neighborhood to T2 Rural Center would constitute a spot zoning and therefore cannot be supported by Community Development staff. In addition, staff has concerns about vehicular access and potential impacts on the residential subdivision located north of Stroup Lane. Staff has reached out to the Town of Bluffton Planning Staff and will provide the Planning Commission with their comments when we receive them.

However, this adjoining land uses between this parcel and Burnt Church Road (e.g. Lost Hollow Business Park and Sabrina Square) are more consistent with the uses and development standards of T2 Rural Center. These types of uses – contractor’s offices, light manufacturing, equipment repair, warehousing, etc. – are needed to support the growth of the greater Bluffton area. Currently, there is a very limited supply of appropriately zoned land to support these

uses. Therefore, staff recommends the the Planning Commission consider this rezoning request as part of an area-wide zoning amendment to T2 Rural Center to better accommodate the operation and expansion of these businesses (see Map 2).

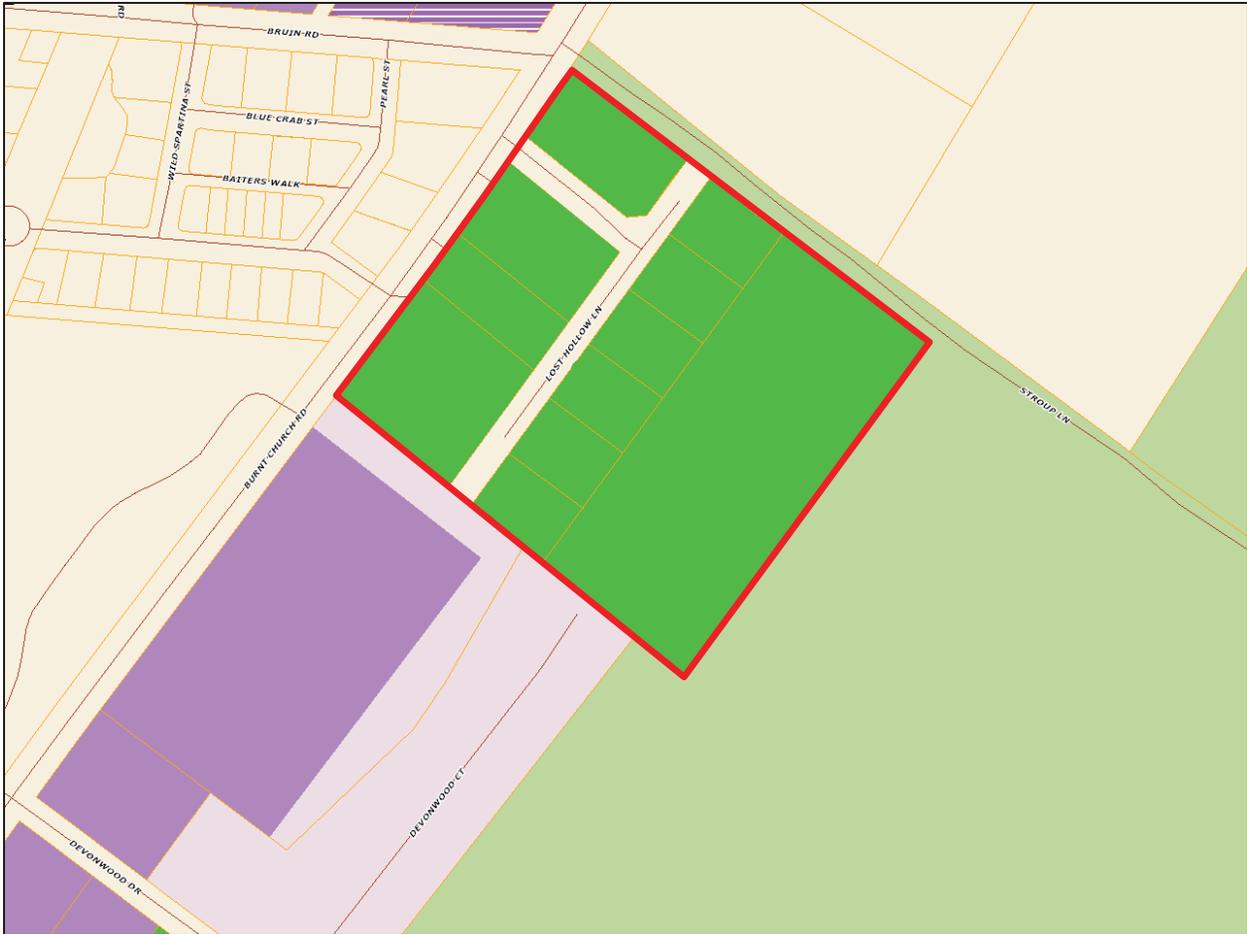
F. ATTACHMENTS:

- Existing and Proposed Zoning Map
- Recommended Area-wide Zoning Change

Map 1: Existing and proposed Zoning



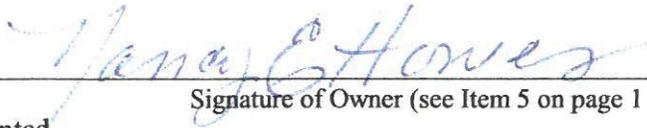
Map 2: Recommended Area-wide Zoning Change



Enclosed Sheets

9. Explanation (continue on separate sheet if needed): _____

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.



December 5, 2018

Signature of Owner (see Item 5 on page 1 of 1)

Date

Printed Name:

Nancy E Howes

Telephone Number:

843-384-3333

Address: **47 All Joy Rd Bluffton, SC 29910**

Email: **Artfuldodger@hargray.com**

Agent (Name/Address/Phone/email): _____

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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:



COUNTY COUNCIL OF BEAUFORT COUNTY
Community Development Department
Beaufort County Government Robert Smalls Complex
Administration Building, 100 Ribaut Road
Post Office Drawer 1228, Beaufort, South Carolina 29901-1228

TO: Beaufort County Planning Commission
FROM: Robert Merchant, AICP, Deputy Community Development Director
DATE: December 20, 2018
SUBJECT: Southern Beaufort County Map Amendment from Existing Planned Unit Development (Sawmill Forest PUD) to T2 Rural for R600 032 000 0005 0000

A. BACKGROUND:

Case No. ZMA-2018-14
Owner/Applicant: C. Nonie Johnson and JC Margaret Schultz
Property Location: Located on the west side of Trimblestone Road approximately 550 feet north from the entrance of Sawmill Forest and approximately 1,700 feet north of US 278.
District/Map/Parcel: R600 032 000 0005 0000
Property Size: 2.42 acres
Future Land Use: Neighborhood/Mixed-Use
Current Zoning District: Sawmill Forest Planned Unit Development (PUD)
Proposed Zoning District: T2 Rural

The Community Development Department is requesting the correction of an error in the official zoning map. The subject 2.43 acre property is located in southern Beaufort County on Trimblestone Road approximately 550 feet north of the entrance of Sawmill Forest (R600 032 000 0005 0000). The property is currently vacant. The Department believes that the property was zoned PUD in error as it was never part of the Sawmill Forest PUD. The property owner is interested in correcting the map error and would like the property to be rezoned T2 Rural.

The current PUD zoning presents several issues to the property owner:

- The owner believes that the PUD zoning is affecting their assessed tax value.
- The Sawmill Forest PUD is built out. If the property owner was interested in developing their property, it would be difficult to determine the allowable density, uses, and setbacks applicable to the property.

Staff recommendation. Staff recommends that the zoning of R600 032 000 0005 0000 be changed from Sawmill Forest PUD to T2 Rural.

ATTACHMENT

- A. Existing and Proposed Zoning Map

