



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION
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

PLANNING COMMISSION

Monday, May 1, 2017

6:00 p.m.

Council Chambers, Administration Building
100 Ribaut Road, Beaufort, 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.
Planning Office, Room 115, County Administration Building
2. REGULAR MEETING – 6:00 P.M.
Council Chambers
3. CALL TO ORDER – 6:00 P.M.
4. PLEDGE OF ALLEGIANCE
5. REVIEW OF MEETING MINUTES FOR FEBRUARY 6, 2017 ([backup](#))
6. CHAIRMAN'S REPORT
7. PUBLIC COMMENT ON NON-AGENDA ITEMS
8. PRESENTATION – BEAUFORT COUNTY SCHOOL DISTRICT “FUTURE STRESS POINTS” by Ms. Carol Crutchfield of Facilities Planning & Construction
9. PORT ROYAL ISLAND ZONING MAP AMENDMENT/ REZONING REQUEST FOR R100 024 000 078C 0000 (12.1 ACRES AT 19 COVENANT DRIVE); FROM T2-RURAL ZONING DISTRICT TO S1-INDUSTRIAL ZONING DISTRICT; OWNER: AMERIS BANK/AGENT: THOMAS HERMANN ([backup](#))
10. TEXT AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE (CDC); APPLICANT: BEAUFORT COUNTY PLANNING STAFF ([backup](#)):
 - A. ARTICLE 1: Section 1.3.50 (Exemptions): Adds requirement to comply with Historic Preservation standards.
 - B. ARTICLE 2:
 - 1) Section 2.2.50 (Lots): Specifies widths of flag lots.
 - 2) Section 2.2.60 (Access Management): Clarification.
 - C. ARTICLES 3 AND 4:
 - 1) Table 3.1.60 (Use Table), Table 3.1.70 (Land Use Definitions), and Division 4.1 (Specific to Use): Adds outdoor boat/recreational vehicle (RV) storage as a new use and provides development standards.



- 2) Table 3.1.70 (Land Use Definitions): Amends “Campground” to specify two or more recreational vehicles/RVs on a single property.
- 3) Section 3.2.90 (T3-Neighborhood): Changes maximum lot coverage from 30% to 50%.

D. ARTICLE 5:

- 1) Section 5.6.120 (Freestanding Signs): Establishes minimum 10-foot setback from right-of-way/ROW.
- 2) Division 5.8 (Landscaping, Buffers, and Screening Standards): Adds minimum tree planting requirements for new residential lots, requires retention of existing vegetation in thoroughfare buffers, and establishes a two-year survival bond for landscaping.
- 3) Section 5.11.90 (Forests): Adds language that promotes interconnectivity of preserved forest habitat.
- 4) Section 5.11.100 (Trees): Adds longleaf pine and black cherry as specimen trees at 16 inches, and increases the penalty/mitigation of illegally removed trees from 1.25 times to 2 times the caliper inches removed.

E. ARTICLE 6: Section 6.2.70 (Maintenance Guarantee): Cross-references the landscaping survival bond from Article 5, Division 5.8.

11. OTHER BUSINESS – Next Meeting: Monday, June 5, 2017, at 6:00 p.m.

12. ADJOURNMENT



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
ADMINISTRATION BUILDING, 100 RIBAUT ROAD
POST OFFICE DRAWER 1228, BEAUFORT, SOUTH CAROLINA 29901-1228
Phone: 843-255-2410 / FAX: 843-255-9432

The regular meeting of the Beaufort County Planning Commission (hereinafter “Commission”) was held on Monday, February 6, 2017, in County Council Chambers, the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

Members Present:

Mr. Robert Semmler, Chairman	Mr. Randolph Stewart, Vice-Chairman	Ms. Diane Chmelik
Ms. Caroline Fermin	Mr. Marque Fireall	Mr. Jason Hinch
Mr. Ed Pappas	Mr. Eric Walsnovich	

Member Absent: Mr. Harold Mitchell

Staff Present:

Mr. Anthony J. Criscitiello, Planning Director
Mr. Robert Merchant, Long-range Planner
Ms. Barbara Childs, Administrative Assistant to the Planning Director

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

PLEDGE OF ALLEGIANCE: Mr. Semmler led those assembled in the Council Chambers with the pledge of allegiance to the flag of the United States of America.

REVIEW OF MINUTES: The Commissioners reviewed the January 5, 2017, meeting minutes and no comments were offered. **Motion:** Mr. Ed Pappas made motion, and Ms. Caroline Fermin seconded the motion, **to accept the minutes, as written.** The motion **carried (FOR: Chmelik, Hinch, Pappas, Fermin, Fireall, Semmler, and Stewart; ABSTAIN: Walsnovich; ABSENT: Mitchell).**

CHAIRMAN’S REPORT: Mr. Semmler commented on both the Clemson national football championship and the Super Bowl games.

PUBLIC COMMENT on non-agenda items: None were received.

TEXT AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE: ARTICLE 3, SECTION 3.3.30 NEIGHBORHOOD MIXED USE (C3) ZONE STANDARDS, AND ARTICLE 4, SECTION 4.1.170 MULTI-FAMILY DWELLINGS (TO MODIFY THE REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL IN THE C3-NEIGHBORHOOD MIXED-USE DISTRICT); APPLICANT: BEAUFORT COUNTY PLANNING STAFF

Mr. Robert Merchant briefed the Commission on the staff initiated text amendment to remove what the staff deems as unnecessary barriers to developing multi-family housing in the C3 district. The C3 district is intended to be a moderate-density residential district, primarily with single-family development with some areas of multi-family and mixed use developments. When staff designed the district, a main goal was that multi-family housing would be compatible to the surrounding homes. The size was limited to 80 units replacing a density cap of 12 dwelling units per acre. The multi-family requirement for use of a mansion type building was limited to 6 units per building, with a limited height of 2-1/2 stories. There have been numerous discussions with potential developers and property owners interested in developing the area. The 6-unit mansion type building was a barrier to development in the C3 district and did not meet the prevailing development trends for multi-family development in this region. The mansion apartment has its place, but not as a multi-family use in the C3 district. Currently in the Code, multifamily is a conditional use in the C3 district; staff is recommending replacing the language to say that multi-family uses shall be compatible with the surrounding character in size, scale, and architecture. That language was taken from the former County zoning and development ordinance (ZDSO) for similar multi-family housing in its Suburban District, which is analogous with the Code’s C3 District. Mr. Merchant noted that staff and the Design Review Board would be reviewing all unincorporated county multi-family development prior to the permitting process. Staff believes the amended language and the review process will provide safeguards for compatible multi-family

development. There is a relationship between this text amendment and the rezoning request next on the agenda where the property owner, represented by Andy Burris, felt the multi-family restrictions were significant enough to request a rezoning. They requested a deferral of their rezoning request at the Commission's January 2017 in hopes that a text amendment would be pursued to solve the problem/barrier and not necessitate the rezoning.

Public Comment: No comments were given.

Commission discussion included belief that this is a show that the Community Development Code was a living document.

Motion: Mr. Randolph Stewart made motion, and Ms. Caroline Fermin seconded the motion, **to recommend approval to County Council on the Text Amendments to the Community Development Code: Article 3, Section 3.3.30 Neighborhood Mixed-Use (C3) zone standards, and Article 4, Section 4.1.170 Multi-family dwellings (to modify the requirements for multi-family residential in the C3-Neighborhood Mixed-Use District) as proposed by staff.** The motion carried (FOR: Chmelik, Hincer, Pappas, Fermin, Fireall, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell).

PORT ROYAL ISLAND ZONING MAP AMENDMENT/ REZONING REQUEST FOR R100 029 000 0046 0000 (10.69 ACRES AT 126 BROAD RIVER BOULEVARD); FROM C3-NEIGHBORHOOD MIXED USE DISTRICT TO C5-REGIONAL CENTER MIXED-USE DISTRICT; OWNER: 10 FRONTAGE ROAD LLC, APPLICANT/AGENT: ANDY BURRIS

Mr. Semmler read a statement signed by Andy Burris, applicant, requesting the withdrawal of his rezoning request upon the recommended approval of the .

Public Comment: No comments were given.

Motion: Ms. Caroline Fermin made a motion, and Ms. Diane Chmelik seconded the motion, **to accept the withdrawal of the Port Royal Island Zoning Map Amendment / Rezoning Request for R100 029 000 0046 0000 (10.69 acres AT 126 Broad River Boulevard); from C3-Neighborhood Mixed Use District to C5-Regional Center Mixed Used District, as formally requested by Mr. Andy Burris.** The motion carried (FOR: Chmelik, Fermin, Fireall, Hincer, Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell).

OTHER BUSINESS: Mr. Semmler noted that the next Planning Commission meeting is scheduled for Monday, March 6, 2017, at 6:00 p.m. at the Beaufort County Council Chambers; and

ADJOURNMENT: Mr. Marque Fireall made a motion, and Ms. Caroline Fermin seconded the motion, to adjourn the meeting. The motion carried (FOR: Chmelik, Fermin, Fireall, Hincer, Pappas, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell). Mr. Semmler adjourned the meeting at approximately 6:30 p.m.

SUBMITTED BY:

Barbara Childs, Administrative Assistant to the Planning Director

Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED: May 1, 2017

*Note: The video link of the February 6, 2017, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=3055*



PLANNING DIVISION MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Anthony Criscitiello, Planning Director
DATE: April 25, 2017
SUBJECT: Proposed Port Royal Island Zoning Map Amendment/Rezoning Request for 12.1 acres at 19 Covenant Drive (R100 024 000 078C 0000) from T2-Rural to S1-Industrial

STAFF REPORT:

A. BACKGROUND:

Case No. ZMA-2017-02
Owner/Applicant/Agent: Ameris Bank / Thomas Hermann / Christian Kata
Property Location: 19 Covenant Drive, Burton South Carolina
District/Map/Parcel: R100 024 000 078C 0000
Property Size: 12.1 acres
Current Future Land Use Designation: Light Industrial
Proposed Future Land Use Designation: No Change
Current Zoning District: T2-Rural
Proposed Zoning District: S1-Industrial

B. SUMMARY OF REQUEST

The subject property consists of 12.1 acres located on both sides of Covenant Drive in Burton. Historically, the property had a light industrial use on it located in an 8,000 square foot metal frame building. The property was originally zoned Light Industrial under the Zoning and Development Standards Ordinance (ZDSO). In 2006, the property was purchased by a church and the owner rezoned the parcel to Rural with Transitional Overlay since churches were not a permitted use in Light Industrial. The building is now vacant and a potential buyer is interested in locating a cabinet shop in the same building prompting a rezoning to S1-Industrial.

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 Light Industrial. The property is located in the MCAS Airport Overlay District. The Land Use chapter also states that within this overlay district, light industrial, commercial and agricultural uses are appropriate land uses as opposed to residential development and places of assembly such as churches and schools. The Economic Development chapter has a policy to encourage light industrial development that states that non-retail commercially zoned properties should be expanded within the Airport Overlay Districts where appropriate.
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:** Not applicable
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 rezoning is compatible with neighboring zoning and land uses. The proposed rezoning would eliminate an irregularity in the zoning map that was created by the downzoning of the property in 2006. The property is bordered on the west and north by parcels zoned S1- Industrial. South and east of the property are large undeveloped tracts that are zoned T2-Rural. The property is located approximately 500 feet south of the Beaufort Commerce Park. Along Bay Pines Road and Covenant Drive, there are six other light industrial and warehousing operations in addition to the Burton Fire District Pinewood Station.
6. **Would not adversely impact nearby lands.** The proposed rezoning would not adversely impact nearby lands. See Item 5 above.
7. **Would result in a logical and orderly development pattern.** The proposed rezoning would result in a logical and orderly development pattern. See Item 5 above.
8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.** The proposed rezoning should result in minimal impact on the natural environment. The property already contains an 8,000 square foot light industrial building. 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 is consistent with the historic use of the property. It is staff's opinion that the change of zoning to S1-Industrial would not result in an increased demand on public facilities.

D. STAFF RECOMMENDATION

After review of the guidelines set forth in Section 7.3.40 of the Community Development Code, staff recommends approval of this request for the following reasons:

1. The requested zoning and proposed use fits well with existing zoning and uses of neighboring properties while remaining consistent with the Comprehensive Plan and the intent of the Community Development Code.
2. The requested zoning change is consistent with the character of the neighborhood and the property is suitable for the use for which it is being considered.
3. Allowable uses in the proposed district would not adversely affect nearby property.

E. METROPOLITAN PLANNING COMMISSION RECOMMENDATION

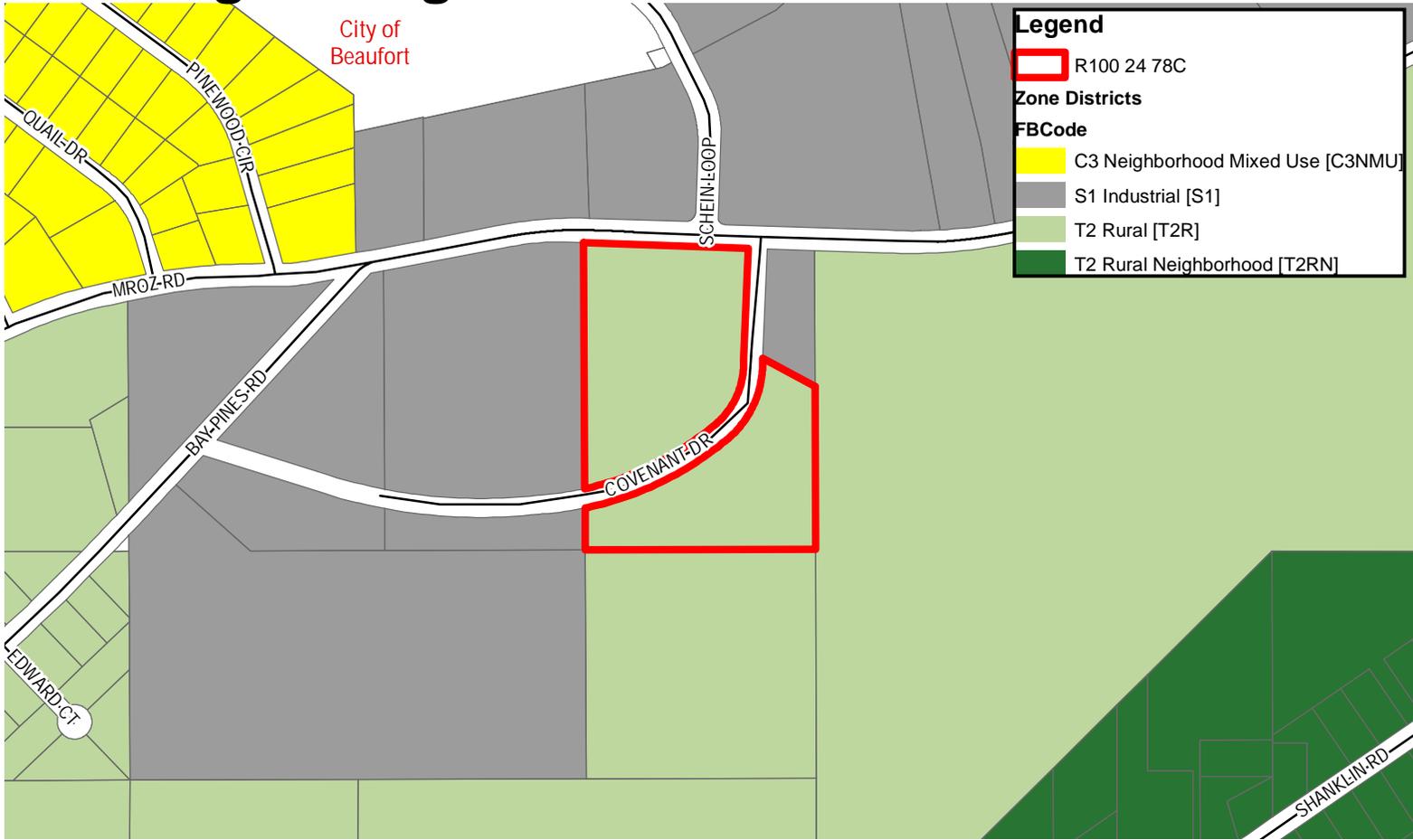
The Metropolitan Planning Commission met on April 24, 2017, to review the rezoning request. In attendance were Joe Devito, Bill Harris, Judy Alling, Caroline Fermin, Tim Rentz, and Robert Semmler. Robert Merchant gave a summary of the proposed rezoning. Tim Rentz asked if the residents of Pinewood Circle had been notified. Mr. Merchant said that they notify everyone within 500 feet of the proposed rezoning and that the property was posted. Caroline Fermin motioned to recommend approval of the rezoning. Tim Rentz seconded. Motion carried.

F. ATTACHMENTS:

- Before and After Zoning Map of site
- Application
- Notification Letter
- Property Owners Notified
- Photos of Posted Notification

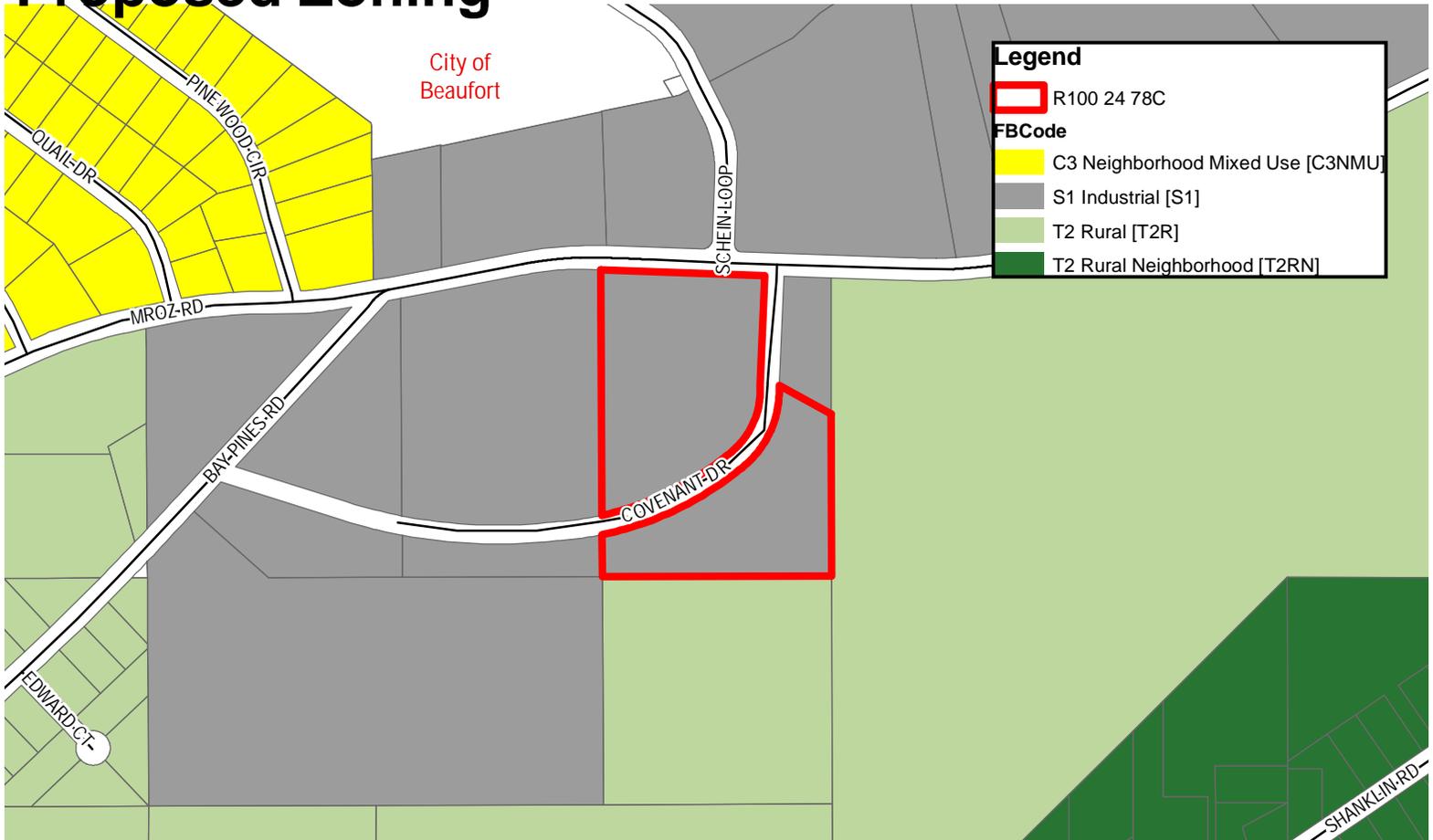
Existing Zoning

City of Beaufort



Proposed Zoning

City of Beaufort



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: R100, Tax Map Number: 024, Parcel Number(s): 078C
Size of subject property: 12.1 Square Feet / Acres (circle one)
Location: 19 Covenant Drive

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? S1 Light Industrial (original zoning)
(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 MCAS ALCUZ APZ (CZ)

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
MAR 31 2017
PLANNING
DIVISION

Christian Keta / 843-441-7659 / christian.keta@amerisbank.com

9. Explanation (continue on separate sheet if needed): We are requesting a zoning change back to the original zoning of light industrial. We have local business that would like to purchase the building and the current zoning as a church does not match surrounding properties.

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.

Ameris Bank T. Hermann 3/31/17
Signature of Owner (see Item 5 on page 1 of 2) Date

Printed Name: Thomas R. Hermann Telephone Number: 843-522-2445
MARKET PRESIDENT, AMERIS.

Address: 2348 BOUNDARY ST, BEAUFORT, SC 29902

Email: Tom.hermann@amerisbank.com

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

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: 3/31/17
(place received stamp below)



Date Posting Notice Issued:

Application Fee Amount Received: \$250

Receipt No. for Application Fee: 15454



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DIVISION

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

April 6, 2017

RE: Notice of Public Meetings to Consider a Port Royal Island Map Amendment for R100 024 000 078C 0000 (12.1 acres; at 19 Covenant Drive, Burton; located off Bay Pines Road, west of Parker Drive and across from Schein Loop); from T2-Rural Zoning District to S1-Industrial Zoning District; Applicant: Ameris Bank; Agent: Thomas Hermann

Dear Property Owner:

In accordance with the Beaufort County Community Development Code, Section 7.4.50, a public hearing is required by the Beaufort County Planning Commission and the Beaufort County Council before a map amendment/rezoning request can be adopted. You are cordially invited to provide comment at these meetings and public hearings on the subject proposed map amendment in your neighborhood. A map of the property is on the back of this letter.

1. The **Metropolitan Planning Commission** – **Monday, April 17, 2017** at 5:30 in the Beaufort City Hall at 1911 Boundary Street, Beaufort, SC 29902.
2. The **Beaufort County Planning Commission** (public hearing) – **Monday, May 1, 2017**, at 6:00 p.m. in the County Council Chambers, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort SC.
3. The **Natural Resources Committee** of Beaufort County Council – **Monday, May 15, 2017**, at 2:00 p.m. in the Executive Conference Room, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
4. **Beaufort County Council** – generally meets second and fourth Mondays at 6:00 p.m. in the County Council Chambers of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC. County Council must meet three times prior to making a final decision on this case. Please call (843) 255-2140 to verify the exact dates and locations.

Documents related to the proposed amendment are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, in the Beaufort County Planning Department office, Room 115 of the Beaufort County Administration Building. If you have any questions regarding this map amendment/rezoning request, please contact the Planning Department at (843) 255-2140.

Sincerely,

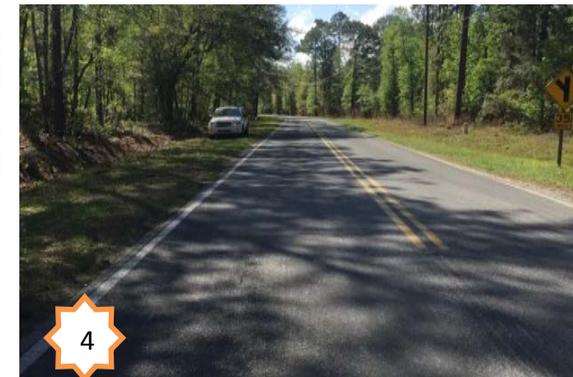
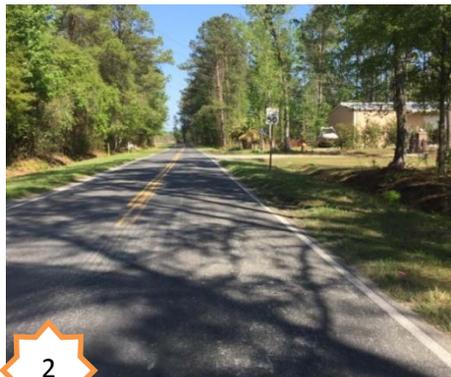
Delores Frazier
Assistant Planning Director

Attachment: Map on back of letter

Property Owners Notified of Map Amendment/Rezoning Request for R100 024 000 078C 0000 (from T2-R to S1-Industrial)

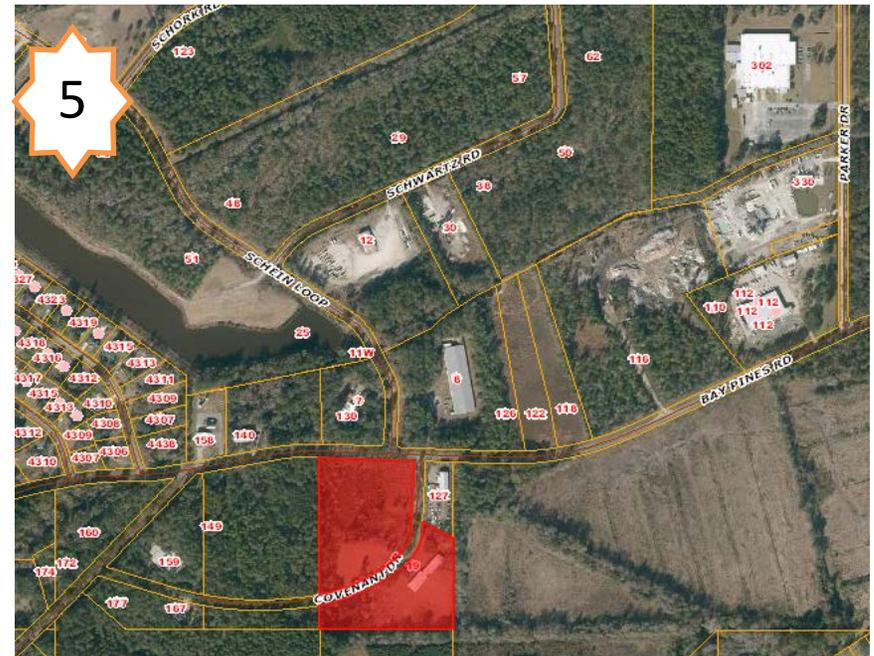
PIN_	Owner1	MailingAdd	City	State	ZIP
R100 024 000 0244	ADVANCED DUST SOLUTIONS INCORPORATED	16431 FAIRWAY WOODS DR UNIT 105	FORT MYERS	FL	33908-5354
R100 024 000 078C	AMERIS BANK	7915 BAYMEADOWS WAY #300	JACKSONVILLE	FL	32256
R100 024 000 0112	BURTON FIRE DISTRICT COMM	36 BURTON HILL RD	BEAUFORT	SC	29906-4264
R120 024 000 0407 and 0409	CITY OF BEAUFORT (THE)	1911 BOUNDARY ST	Beaufort	SC	29902-3825
R100 024 000 0384	LARSEN MICHAEL K DEBORAH W NEAL SUSA	PO BOX 964	BEAUFORT	SC	29901
R100 024 000 078E	LOUDER MICHAEL	127 BAYPINES RD	BEAUFORT	SC	29906
R100 024 000 078D	LOWEN COMPANY INC	PO BOX 1528	HUTCHINSON	KS	67504-1528
R100 024 000 0262	PBCC HOLDINGS LLC	85 RIVERS HILL RD	BEAUFORT	SC	29906
R100 025 000 099A and 013A	TRASK HAROLD E Jr	8 FIR TREE LN	ASHEVILLE	NC	28803

R100-024-000-078C-0000/AMERIS BANK REZONING
POSTED SIGNS



PORT ROYAL ISLAND MAP AMENDMENT/REZONING REQUEST FOR R100-024-000-078C-0000 (12.1 ACRES; AT 19 COVENANT DRIVE, BURTON; LOCATED OFF BAY PINES ROAD, WEST OF PARKER DRIVE AND ACROSS FROM SCHEIN LOOP); POSTING SIGN NOTIFYING PUBLIC OF MAP AMENDMENT/REZONING REQUEST:

1. FACING PROPERTY ON BAY PINES ROAD
2. EAST OF PROPERTY (TOWARD PARKER DRIVE)
3. (SCHEIN LOOP) ACROSS FROM/NORTH THE PROPERTY
4. WEST OF PROPERTY (TOWARD MROZ ROAD)
5. AERIAL MAP OF (PROPERTY IN RED)





MEMORANDUM

TO: Beaufort County Planning Commission

FROM: Anthony Criscitiello, Planning Director

DATE: May 1, 2017

SUBJECT: 18 Month Review of Community Development Code – Proposed Text Amendments

When County Council adopted the Community Development Code (CDC) on December 8, 2014, the motion included a 6 month and 1 year evaluation of the code as a condition of approval. These two reviews took place in 2015 and 2016. Planning Staff sees the merit of continuing to periodically evaluate and bring forward amendments to the CDC. As in the other two reviews, staff has learned of both minor and major corrections that should be made to the ordinance based on application and enforcement of the Code. These proposed amendments are provided in this memo.

To help navigate through this list of amendments, they have been categorized with the major changes first and minor fixes at the end of the document. The amendments are divided into the following categories:

- **Transect Zone Amendments:** These include amendments to transect zones and related provisions. Since the transect zones are a prominent feature in the new Code, it is in the County's best interest to insure that the districts are utilized and do not present unnecessary barriers to development.
- **Use Amendments:** These are changes to Articles 3 and 4 which amend uses, use definitions, and conditional use standards.
- **Tree Amendments:** These are changes to the Landscape Standards (Division 5.8) and Resource Protection Standards (Division 5.11) to respond to concerns about tree removal for new developments in the county.
- **Corrections, Clarifications, and provisions from the ZDSO:** These are minor amendments that do not change the substance of the code. These include clarifications, which are changes to wording that aid in the understanding of the requirements. These changes also include provisions that were in the former ZDSO and did not make it into the final draft of the CDC.

Transect Zone Amendments

Section 3.2.90.D: T3 Neighborhood – Footprint: This amendment consists of increasing the maximum lot coverage, the portion of a lot covered by buildings and outbuildings, from 30% to 50%. The current requirement of 30% limited the footprint to 1,500 square feet for buildings placed on the smallest lots permitted in the district (5,000 square feet). Planning staff believes this change will provide greater flexibility for smaller lots in the T3 Neighborhood District.

D. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	15' min., 20' max.	Ⓐ
Side Street	10' min., 20' max.	Ⓑ
Side:		
Side, Main Building	7 ½' min.	Ⓒ
Side, Ancillary Building	5' min.	
Rear		
Rear, Main Building	15' min.	Ⓓ
Rear, Ancillary Building	5' min.	
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (20,000 SF Maximum)		
Width	100' max.	Ⓔ
Depth	200' max.	Ⓕ
Miscellaneous		

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses

E. Building Form		
Building Height		
Main Building	2.5 stories max.	Ⓖ
Ancillary Building	2 stories max.	
Ground Floor Finish Level ¹	18" min.	Ⓗ
Upper Floors(s) Ceiling	8' min. clear	Ⓘ
Footprint		
Maximum Lot Coverage ²	50% 30%	of lot area
Miscellaneous		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Notes		
¹ Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		
² Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		

Use Amendments

Table 3.1.60 Consolidated Use Table. Amend the use table to add “Outdoor Boat/Vehicle Storage” as a new use that is conditionally permitted in the RC (Rural Center), C4 (Community Commercial), C5 (Regional Commercial) and S1 (Industrial) zones. The code currently allows this use only when accessory to a residential storage facility. The Planning Department has received several inquiries about allowing boat storage as a stand-alone use.

Table 3.1.60. Consolidated Use Table (continued)

Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
OFFICES & SERVICES																		
15. Medical Service: Clinics/Offices	--	--	--	--	P	P	--	--	--	P	P	P	P	P	TCP	P	P	--
16. Medical Service: Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	--
17. Residential Storage Facility	--	--	--	--	--	--	--	--	--	--	C	--	C	C	--	C	C	C
18. Outdoor Boat/Vehicle Storage						C										C	C	C
19. Vehicle Services: Minor Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	C	C	C	--	C	C	--
20. Vehicle Services: Major Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	--	C	C	--	C	C	C
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI

“P” indicates a Use that is Permitted By Right.

“C” indicates a Use that is Permitted with Conditions.

“S” indicates a Use that is Permitted as a Special Use.

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

“--” indicates a Use that is not permitted.

Table 3.1.70 Land Use Definitions . Amend this table to add a definition for “Outdoor Boat/Vehicle Storage”.

OFFICES AND SERVICES:

16. Outdoor Boat/Vehicle Storage – An outdoor or covered dry storage area for pleasure watercraft, trailers, and/or personal vehicles.

Further amend this table to clarify that a Recreational Campground is comprised of two or more camp sites for rent on a single piece of property.

RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY:

11. Recreation Facility: Campground – Form of lodging where guests bring tents, travel trailers, campers, or other similar forms of shelter to experience natural environments. Campgrounds rent **two (2) or more** pads or spaces to guests. May also include accessory uses such as a camp store, shower/bathroom facilities, and recreational facilities.

4.1.340 Outdoor Boat/Vehicle Storage. Add a new subsection to provide conditions for “Outdoor Boat/Vehicle Storage” uses.

Outdoor Boat/Vehicle storage facilities shall comply with the following:

1. The only uses allowed to be stored on-site shall be personal pleasure watercraft, boat and utility trailers, and personal vehicles such as RVs, cars, and trucks. No commercial vehicles shall be stored on the property.
2. Interior circulation shall be provided in the form of paved or unpaved (stabilized aggregate) aiseways. The minimum width of these aiseways shall be 12 feet if one-way traffic is permitted and 24 feet if two-way traffic is permitted.
3. All outdoor storage areas shall be screened with a solid wooden fence or masonry wall a minimum of 8 feet high. One evergreen shrub shall be installed for every five linear feet of fence or wall on the side of the fence or wall facing an adjoining property or right-of-way.

Tree Amendments

5.8.20 Tree Planting Requirements for Single-Family Residences and Duplexes. This amendment requires that all new residential lots have at least two overstory trees with the exception of the T4 districts. Existing trees can count toward this requirement. In the T4 districts, at least one overstory tree is required.

B. Exemptions— Requirements for Single-family Residential and Duplex Lots.

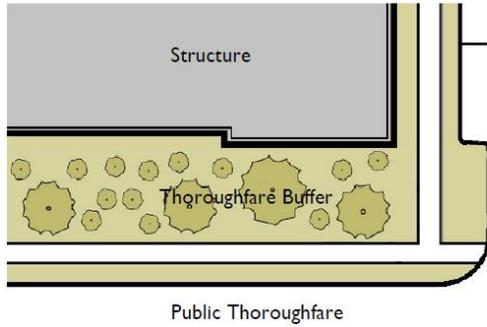
1. **Within Transect Zones:** Single-family residential and duplexes on individual lots are exempt from the requirements of this section within T1 Natural Preserve, T2 Rural, T2 Rural Neighborhood, T2 Rural Neighborhood Open, T2 Rural Center, T3 Edge, T3 Hamlet Neighborhood, and T3 Neighborhood.

2. **Within Conventional Zones and Community Preservation Districts:** Single-family residential and duplexes on individual lots are exempt.

Single-family residential and duplex lots shall require the planting or preservation of at least two overstory trees per acre of lot or fraction thereof in all districts except T4. In the T4 districts, at least one overstory tree is required.

5.8.50 Thoroughfare Buffer – Requirement to preserve existing trees greater than 6” DBH. The Corridor Overlay District in the ZDSO required that existing trees 6” DBH or greater to be preserved within the 50 foot buffer along the highway. This requirement is missing from the CDC. Staff recommends the following amendment:

Table 5.8.50 Thoroughfare Buffer



A. Description

The thoroughfare buffer provides visual screening between development and a public street or road. The width, quantity of plant materials, and opacity depends on the number of lanes of the public thoroughfare.

B. Applicability

A thoroughfare buffer is required along all collector and arterial roads within all conventional zones, community preservation districts, T2 Rural, T2 Rural Low, and T2 Rural Neighborhood.

C. Minimum Buffer Width

Thoroughfares with 2 or 3 Lanes

Minimum Buffer Width 20 feet¹

Thoroughfares with 4 Lanes or More

Minimum Buffer Width 50 feet¹

Notes

¹Buffer widths are measured from the right-of-way line into the site

D. Plant Requirements (per 100 linear feet)

Thoroughfares with 2 or 3 Lanes

Overstory Trees	2
Understory Trees ³	7
Shrubs	15

Thoroughfares with 4 Lanes or More

Overstory Trees	4
Understory Trees ³	14
Shrubs	30

E. Opacity

Thoroughfares with 2 or 3 Lanes

Minimum Opacity 30%

Thoroughfares with 4 Lanes or More

Minimum Opacity 75%

F. Existing Trees in Thoroughfare Buffer

No tree 6 inches DBH or larger shall be removed from any thoroughfare buffer, exclusive of access drive location, required sight triangle area, diseased trees, or other safety issues subject to DRB and/or staff approval.

5.11.90.F Forest Interconnectivity. This amendment consists of adding a new subsection to require preserved forested areas within a development to connect to other preserved forest areas and open spaces in adjoining parcels parcel boundaries, where feasible. This implements a recommendation from the Natural Resources chapter of the Comprehensive Plan.

Protected forest resources shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge any protected forest or other open space areas that exist adjacent to the development. Preservation of small, fragmented remnants of forest shall be avoided where possible.

5.11.100.B Specimen Trees. This amendment adds longleaf pine and black cherry to the list of overstory trees that are defined as specimen trees at a diameter of 16" dbh.

- Overstory trees – American Holly, Bald Cypress, Beech, **Black Cherry**, Black Oak, Black Tupelo, Cedar, Hickory, Live Oak, **Longleaf Pine**, Palmetto, Pecan, Red Maple, Southern Red Oak, Sycamore, or Walnut that are equal to or greater than a diameter of 16 inches (DBH).

5.11.100.E Tree Protection During Construction. This amendment increases the penalty for damaging or removing protected trees during construction. The current penalty requires the trees to be replaced

by 1.25 times the diameter caliper inches of removed or damaged trees. The amendment would require that to be increased to 2 times the caliper inches.

4. **Penalty for Damaging or Cutting Protected Trees.** If trees are damaged or cut down as a result of the construction process, the mitigation shall be individual plantings of trees a minimum of 2.5 caliper inches with a total caliper equal to ~~1.25~~ **two (2)** times that of the DBH of the trees damaged or destroyed. Trees shall be planted within the disturbed area of the site. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.3 (Reforestation Fee).

Corrections, Clarifications, and provisions from the ZDSO

Article 1: General Provisions

- **1.3.50 Exemptions** (Correction). The proposed amendment is necessary to include historic preservation standards in the review of public utility and infrastructure projects.
 - C. A public utility or public infrastructure installation (water, sewer, roads, gas, stormwater, telephone, cable, etc.) is exempt from the standards of this Development Code, except:
 1. Thoroughfare standards, in Division 2.9 (Thoroughfare Standards);
 2. Wetland standards, in Section 5.11.30 (Tidal Wetlands), and Section 5.11.40 (Non-Tidal Wetlands);
 3. River Buffer standards, in Section 5.11.60 (River Buffer);
 4. Tree Protection standards, in Section 5.11.90 (Tree Protection);
 5. Stormwater management standards, in Section 5.12.30 (Stormwater Standards);
 6. Utility standards, in Section 4.1.210 (Regional (Major) Utility);
 7. Wireless communication facilities standards, in Section 4.1.320 (Wireless Communications Facility);
 8. **Historic Preservation standards, in Division 5.10 (Historic Preservation).**

Article 2: Multi-Lot and Single Lot Community Scale Development

- **2.2.50.B Lots** (ZDSO Provision). This amendment provides a minimum width for a flag lot to ensure adequate access for public safety vehicles.
 4. **Resources Make Normal Lotting Difficult.** Where natural resources or property shape make normal lotting difficult, common drives, flag lots, or shared easements may be considered at the discretion of the Director. **Where a flag lot is approved, the minimum width of the portion of the lot that fronts the ROW or easement and extends to the rear "flag" shall be 50 ft., except in the T3N, T4HC, and T4NC zones, where the minimum width shall be 40 ft.**
- **2.2.60 Access Management** (Correction). This amendment allows buildings to front major roadways while taking access from a rear street or alley.

- 2.c. To the maximum extent practical, lots fronting an arterial or major collector shall **front take access from** an internal street, parallel frontage road, or rear alley. This avoids multiple lots with individual access along the existing public road frontage or reverse frontage lots in which buildings turn their back to the public road frontage.

Article 5: Supplemental to Zones

- **5.6.120 Freestanding Signs** (Clarification). Clarifies setback requirement by removing a reference to Corridor Overlay District which does not exist in the CDC.

A. Description

Freestanding Signs encompass a variety of signs that are not attached to a building and have an integral support structure. Freestanding varieties include Monument and Pole Signs.

A Pole Sign, usually double-faced, mounted on a single or pair of round poles, square tubes, or other fabricated members without any type of secondary support.

A Monument Sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location.

B. Standards

Size

Signable Area	T4	All Other Districts
Single Tenant	24 SF max.	40 SF max.
Multiple Tenant with one highway frontage	32 SF max.	80 SF max.
Multiple Tenant with Two or more highway frontages	32 SF per frontage	80 SF per frontage

Location

Signs per Highway Frontage:		
Single Tenant	1 max.	
Multiple Tenant	1 max. ^{1,2}	
Height	10' max.	A
Width	15' max.	B
Distance from ground to the base of the sign	4' max.	
Setback from ROW within Corridor Overlay District	10' min.	

¹Individual tenants may not have a Freestanding Sign.

²Frontages greater than 500 feet may include one additional freestanding sign not to exceed 80 SF in area and with a total allowable sign area not exceeding the maximum allowable sign area for the multiple tenant center.

Miscellaneous

Changeable copy signs are allowed for gasoline price signs, houses of worship, schools, directory signs listing more than one tenant, and signs advertising restaurant food specials, films and live entertainment which change on a regular basis.

- **5.8.110 Landscape Construction and Maintenance Standards** (Correction). This amendment carries forward language from the ZDSO regarding landscape survival bonds.

B.4. **Performance Guarantee.** All **initial replacement** landscaping shall be subject to a two-year **performance guarantee survival bond in the form of an irrevocable letter of credit, surety, or cash equal to 120% of the landscaping cost** that ensures proper replacement and maintenance.

Article 6: Subdivision and Land Development

- **6.2.70 Maintenance Guarantee** (Clarification). This amendment cross-references the landscaping survival bond from Division 5.8.110.

Upon completing the improvements required under this Development Code, the surety will be reduced or eliminated. A maintenance guarantee in the form of an irrevocable letter of credit, surety, or cash equal to ten percent of the actual construction cost for improvements (e.g., road, sidewalk, landscaping, and drainage facilities) shall be deposited with the County Treasurer's Office for anticipated maintenance for a period of two years after the completion of all improvements. For landscaping improvements, a survival bond equal to 120% of the cost shall be required (refer to Sec. 5.8.110.B.4.).