



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
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The regular meeting of the Beaufort County Planning Commission (hereinafter "Commission") was held on Monday, May 1, 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 Hinchler
Mr. Eric Walsnovich

Member Absent: Mr. Harold Mitchell and Mr. Ed Pappas

Staff Present:

Mr. Robert Merchant, Long-range Planner
Ms. Barbara Childs, Administrative Assistant to the Planning Director
Mr. Christopher Inglese, Assistant County Attorney

CALL TO ORDER: Chairman Robert Semmler called the meeting to order at approximately 6:05 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 MEETING MINUTES: The Commissioners reviewed the February 6, 2017 minutes, and recommended the following changes on Page 2:

- The paragraph after the Public Comment, should read "**Commission discussion included belief that this shows that the Community Development Code is a living document.**"
- The first motion should read: "Mr. Randolph Stewart made a motion...."

Motion: Ms. Carolyn Fermin made the motion, and Mr. Hinchler seconded the motion, **to accept the minutes, as corrected. The motion carried (FOR: Chmelik, Fermin, Fireall, Hinchler, Semmler, and Stewart; ABSENT: Mitchell and Pappas).**

CHAIRMAN'S REPORT:

1. Mr. Randolph Stewart noted that there is not a "New Business" item on the agenda. Mr. Semmler noted that the public may not bring forth new business without the proper paperwork submitted to the Planning staff. **Motion:** Mr. Randolph Stewart made a motion, and Ms. Carolyn Fermin and Mr. Marque Fireall seconded the motion, **to add New Business to all future Planning Commission agendas. The motion was carried (FOR: Chmelik, Fermin, Fireall, Hinchler, Semmler, and Stewart; ABSENT: Mitchell and Pappas).**
2. Mr. Semmler introduced Mr. Christopher Inglesis, the new Assistant Staff Attorney who replaced Ms. Allison Coppage.

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

PRESENTATION – BEAUFORT COUNTY SCHOOL DISTRICT "FUTURE STRESS POINTS"

Ms. Carol Crutchfield of Facilities Planning and Construction for the Beaufort School District presented a power point presentation and explained that facilities, programs, and student demographics work together in the comprehensive facilities planning and school planning. Optimal stress points/capacity triggers are between 75 to 89% of maximum enrollment. Basic planning involves checking the demographics of the students and comparing it with last year's demographics to obtain trend data, the distance from the students'

homes to their assigned schools (which should not be more than a 1 mile radius), the neighborhoods and subdivisions around the school or Neighborhood Planning Units (NPU), and the projected number of resident students to formulate an overall student assignment plan over a 5-year period to avoid overpopulating the schools. Once the projected enrollment data is calculated, she does a reality check by looking at other data sources such as the County's projections. The School Board's Capital Improvement Plan book is on the School Board's website. It is a rolling 5-year plan with a ten-year forecast of facilities needs. She also explained the current, projected, and maximum enrollments in the various NPUs. Hilton Head enrollment appears to be declining; Bluffton is experiencing tremendous growth. When asked what about Hilton Head National with its development, Ms. Crutchfield noted that it was hard to plan for something that hasn't happened. When development does occur, she will use the number of addressed lots in her calculations. She gave scenarios/past solutions that were used to avoid overpopulating the schools.

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/APPLICANT: THOMAS HERMANN

Mr. Robert Merchant briefed the Commission on the map amendment/rezoning request. He noted the history of the property that was downzoned in 2006 to accommodate a church to occupy an existing light industrial building on the property. The current owner, Ameris Bank, has a potential purchaser who wants to place a cabinet shop in the existing building on the property so the zoning must revert back to its original industrial zoning to accommodate the cabinet shop. The staff recommends the rezoning since the property is surrounded by the industrial zoning/uses and located in the AICUZ (Air Installation Compatibility Use Zone) that recommends light industrial uses per the Comprehensive Plan. The Metropolitan Planning Commission unanimously recommended approval of the rezoning request.

Discussion included clarification of the surrounding zoning districts, a query on the possible commercial square footage allowed on the property, and concern for traffic impact based on possible buildout of commercial square footage on the property (*Mr. Merchant noted that the traffic model takes into account past growth rates, not build out; the planning staff would look at development trends if the area were to develop.*).

Applicant's Comments:

- Mr. Thomas Hermann of Ameris Bank, the applicant, noted that the bank (Ameris, property owner) obtained the property via a foreclosure upon the death of the pastor (of New Covenant Ministries, the former owner). Mr. Hermann stated the bank believes in the property back to industrial to get jobs to the area.
- Mr. Dean Williams, a cabinet maker, former firefighter/paramedic, and potential purchaser of the property, stated he has outgrown his current location. Through his due diligence he must seek property other than on Lady's Island where his current establishment exists. He noted his research on the property, stating he probably would receive a shipment about once a week. There is another cabinet manufacturer down the street, and he knows that another cabinet business is interested in opening in the area also. He asks for a favorable recommendation from the Commission.

Public Comment: None were received.

Motion: Ms. Carolyn Fermin made a motion, and Mr. Jason Hinchler seconded the motion, **to forward to County Council with a recommendation of approval of the Port Royal Island Map Amendment/Rezoning Request for R100 024 000 078C 000 (12.1 acres at 19 Covenant Drive) from T2-Rural Zoning District to S1-Industrial Zoning District.** Discussion included not seeing a posting sign on the property; however, Mr. Semmler affirmed that he did see such a sign. Mr. Stewart did talk to a neighbor and the neighbor supports to rezoning. The motion was carried (**FOR: Chmelik, Fermin, Fireall, Hinchler, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell and Pappas**).

Mr. Semmler noted that the street name was not properly changed from Lowen to Covenant Drive, because the Planning Commission had not reviewed a street name change petition for the road. He noted that the private road is not a thoroughfare as indicated on the map; in fact, a portion is chained off/inaccessible. He urged the Planning staff to continue the research regarding the correct name of the road.

TEXT AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE (CDC); APPLICANT: BEAUFORT COUNTY PLANNING STAFF:

- A. ARTICLE 1: Section 1.3.50 (Exemptions):** Adds requirement to comply with Historic Preservation standards.
- B. ARTICLE 2:**
 - 1. Section 2.2.50.B.4. (Lots/Resources Make Normal Lotting Difficult):** Specifies widths of flag lots.
 - 2. Section 2.2.60.A.2.c (Access Management-Driveway Separation):** Clarification/allows buildings to front major roadways while taking access from a rear street or alley.
- C. ARTICLES 3 AND 4:**
 - 1. Table 3.1.60 (Use Table):** Adds outdoor boat/recreational vehicle (RV) storage as a new use under "Offices and Services" section.
 - 2. Table 3.1.70 (Land Use Definitions):** Adds definition for outdoor boat/vehicle storage.
 - 3. Division 4.1 (Specific to Use):** Add new subsection 4.1.340 to provide development standards for outdoor boat/vehicle storage.
 - 4. Table 3.1.70 (Land Use Definitions):** Amends "Campground" under "Recreation, Education, Safety, Public Assembly" section to specify two or more recreational vehicles/RVs on a single property.
 - 5. Section 3.2.90.E (T3-Neighborhood, Building Form-Footprint):** Changes maximum lot coverage from 30% to 50%.
- D. ARTICLE 5:**
 - 1. Section 5.6.120.B. (Freestanding Signs-Standards):** Establishes minimum 10-foot setback from right-of-way (ROW).
 - 2. Division 5.8 (Landscaping, Buffers, and Screening Standards):**
 - Section 5.8.20.B (Exemptions):** Amends section title to "Requirements for Single-Family Residential and Duplex Lots" and adds minimum tree planting requirements for new residential lots.
 - Section 5.80.50 (Thoroughfare Buffer):** Adds new subsection F. Existing Trees in Thoroughfare Buffer that requires retention of existing vegetation in thoroughfare buffers.
 - Section 5.8.110.B.4 (Landscape Construction and Maintenance Standards – Performance Guarantee):** 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.B.2 (Specimen Trees-Overstory Trees):** Adds longleaf pine and black cherry as specimen trees at 16 inches.
 - 5. Section 5.11.100.E.4 (Specimen Trees-Penalty for Damaging or Cutting Protected Trees):** 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.

Mr. Merchant briefed the Commission on the text amendments proposed by the staff. This is an 18-month review of the Code. He noted that the amendments included changes within the transect zones, the use table, tree standards, and corrections, clarifications, and provisions from the former Zoning and Development

Standards Ordinance (ZDSO). Mr. Merchant then gave a summary of the text amendments. He summarized each change for clarification to the Commission.

Commission discussion included:

- kudos to upgrading the fines on mistaken tree removal;
- clarification on whether the footprint from 30 to 50 feet would cover driveways, patios, and pools (*Mr. Merchant noted that the footprint covers the principal structure and all accessory buildings.*);
- concern that the phrase “maximum coverage space” was used instead of “minimum open space;”
- concern with stormwater runoff problems on new rather than existing lots with the added impervious space allowed (*Mr. Merchant noted that the goal was to retain the stormwater on the lot.*);
- concern with voting on all of the text amendments despite the lack of clarity on some;
- clarification on mitigation of trees that are cut down erroneously;
- clarification on the development bond process;
- clarification on the boat storage requirements for commercial operations;
- clarification on the tree reforestation fund and desiring an annual report on how the reforestation money is spent;
- clarification on the thoroughfare buffer requirement;
- concern of overstory trees under power lines;
- concern with utility company cutting trees without advising government entities;
- concern with forcing a property owner of a new home to plant two trees per acre when the owner’s preference is no trees; and
- a recommendation to pass the amendments with which the Commission agrees and to return to staff for additional work on items the Commission has concerns before passing them onto County Council—especially Table 3.1.60 Consolidated Use Table, Table 3.1.70 Land Use Definitions, and Section 4.1.340 Outdoor Boat/Vehicle Storage; Section 3.2.90.E. Building Form (Footprint); and Section 5.8.20.B Exemptions.

Public Comments: None were received.

Motion: Ms. Carolyn Fermin made a motion, and Mr. Marque Fireall seconded the motion, **to forward to County Council recommending approval of the following Text Amendments to the Community Development Code:**

1. Section 1.3.50 (Exemptions): Adds requirement to comply with Historic Preservation standards;
2. Section 2.2.50 (Lots): Specifies widths of flag lots;
3. Section 2.2.60 (Access Management): Clarification;
4. Table 3.1.70 (Land Use Definitions): Amends “Campground” to specify two or more recreational vehicles/RVs on a single property;
5. Section 5.6.120 (Freestanding Signs): Establishes minimum 10-foot setback from right-of-way/ROW;
6. Section 5.8.50.F (Existing Trees in Thoroughfare Buffer): Requires retention of existing vegetation in thoroughfare buffers;
7. Section 5.8.110.B.4 (Performance Guarantee): Establishes a two-year survival bond for landscaping;
8. Section 5.11.90 (Forests): Adds language that promotes interconnectivity of preserved forest habitat;
9. 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; and
10. Section 6.2.70 (Maintenance Guarantee): Cross-references the landscaping survival bond from Article 5, Division 5.8.

The motion was **carried** (FOR: Chmelik, Fermin, Fireall, Hincer, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell and Pappas).

Note: The Commission, with no objections from any Commission member, has returned the following Text Amendments for additional work by the Planning Staff and to be reviewed by the Commission at its June 5, 2017, meeting:

- 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;
- Section 3.2.90 (T3-Neighborhood): Changes maximum lot coverage from 30% to 50%; and
- Section 4.1.340 (Outdoor Boat/Vehicle Storage): Adds new subsection to provide conditions for the outdoor boat/vehicle storage use; and
- Section 5.11.100.B.4 (Specimen Trees – Penalty for Damaging or Cutting Protected Trees): Adds minimum tree planting requirements for new residential lots.

Mr. Jason Hinchler inquired about the text amendments being privileged information, but Mr. Semmler indicated the information was open to the public.

OTHER BUSINESS:

1. **Mining Standards:** Councilman York Glover asked Mr. Marque Fireall to have the Planning Commission to review the mining standards. Mr. Fireall is asking that the Planning staff review the standards for the Commission. **Motion:** Mr. Fireall made a motion, and Ms. Fermin seconded the motion, **to have the staff review Chapter 4 of the Community Development Code regarding mining standards.** The motion was carried (FOR: Chmelik, Fermin, Fireall, Hinchler, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell and Pappas).
2. **Next Planning Commission Meetings:**
 - a. The next scheduled regular Planning Commission meeting is Monday, June 5, 2017, at 6:00 p.m. in the County Council Chambers, 100 Ribaut Road, Beaufort, SC.
 - b. The Special Planning Commission meeting scheduled for May 9, 2017 is cancelled.
 - c. The Special Planning Commission meeting scheduled for June 13, 2017, at 5:30 p.m. will occur; details will follow when available.

ADJOURNMENT: Motion: Mr. Marque Fireall made the motion, and Mr. Jason Hinchler seconded the motion, **to adjourn the meeting.** The motion was carried (FOR: Chmelik, Fermin, Fireall, Hinchler, Semmler, Stewart, and Walsnovich; ABSENT: Mitchell and Pappas). Mr. Semmler adjourned the meeting at approximately 8:00 p.m.

SUBMITTED BY:



Barbara Childs, Administrative Assistant to the Planning Director



Robert Semmler, Beaufort County Planning Commission Chairman

APPROVED:

June 5, 2017

Note: The video link of the May 1, 2017, Planning Commission meeting is:
http://beaufort.granicus.com/MediaPlayer.php?view_id=3&clip_id=3214