



## Natural Resources Committee Meeting

### Chairman

ALICE HOWARD

### Vice Chairman

GERLAD DAWSON

### Council Members

LOGAN CUNNINGHAM

YORK GLOVER, SR.

CHRIS HERVOCHON

### Interim County Administrator

ERIC GREENWAY

### Clerk to Council

SARAH W. BROCK

### Staff Support

CHUCK ATKINSON

JARED FRALIX

### Administration Building

Beaufort County Government

Robert Smalls Complex

100 Ribaut Road

### Contact

Post Office Drawer 1228

Beaufort, South Carolina 29901-1228

(843) 255-2180

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

# Natural Resources Committee Agenda

Monday, March 01, 2021 at 3:30 PM

\*\* AT THE CONCLUSION OF COMMUNITY SERVICES COMMITTEE MEETING OR NO SOONER THAN 3 P.M. \*\*

ALL OF OUR MEETINGS ARE AVAILABLE FOR VIEWING ONLINE AT [WWW.BEAUFORTCOUNTYSC.GOV](http://WWW.BEAUFORTCOUNTYSC.GOV) AND CAN ALSO BE VIEWED ON HARGRAY CHANNELS 9 AND 113, COMCAST CHANNEL 2, AND SPECTRUM CHANNEL 1304

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. *PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT*
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - FEBRUARY 1, 2021

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### ACTION ITEMS

6. RURAL AND CRITICAL LAND PRESERVATION PROGRAM CONSULTING SERVICES FOR BEAUFORT COUNTY
7. ZONING MAP AMENDMENT/REZONING REQUEST FOR 17.92 ACRES (R600 013 000 00369 0000) AT THE INTERSECTION OF OKATIE HIGHWAY AND CHERRY POINT ROAD FROM T2 RURAL TO C3 NEIGHBORHOOD MIXED USE AND C4 COMMUNITY CENTER MIXED USE DISTRICTS.
8. ZONING MAP AMENDMENT/REZONING REQUEST FOR 1.96 ACRES (R600 036 000 015E 0000) AT THE INTERSECTION MAY RIVER ROAD AND BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER.

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### BOARDS AND COMMISSIONS

9. CONSIDERATION OF APPOINTMENT FOR ROGER JADOWN TO DESIGN REVIEW BOARD.  
1st TERM - REGISTERED ARCHITECT  
EXPIRATION DATE 02/25
10. CONSIDERATION OF APPROVAL FOR JOHN MAFFEI TO RURAL AND CRITICAL LANDS PRESERVATION BOARD.  
1st TERM AS DISTRICT 10 REPRESENTATIVE (2nd TERM TOTAL)  
PREVIOUSLY VOLUNTEERED DISTRICT 7  
SERVED PARTIAL TERM FROM 05/2020 TO 02/2021  
EXPIRES ON 02/25

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## CITIZEN COMMENTS

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11. CITIZENS MAY JOIN VIA WEBEX USING THE LINK AND MEETING INFORMATION BELOW:

[MEETING LINK](#)

Meeting number (access code): 129 963 4250

Password: BC123

***(ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes ( a total of 15 minutes ) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)***

12. ADJOURNMENT



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF MINUTES
<b>MEETING NAME AND DATE:</b>
NATURAL RESOURCE MEETING <ul style="list-style-type: none"><li>MARCH 1, 2021</li></ul>
<b>PRESENTER INFORMATION:</b>
COMMITTEE CHAIRMAN HOWARD
<b>ITEM BACKGROUND:</b>
NATURAL RESOURCES MEETING <ul style="list-style-type: none"><li>FEBRUARY 1, 2021</li></ul>
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPROVAL FOR NATURAL RESOURCES COMMITTEE MINUTES FROM FEBRUARY 1, 2021.
<b>FISCAL IMPACT:</b>
NONE
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY, OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) NATURAL RESOURCE MINUTES FROM FEBRUARY 1, 2021.



## Natural Resources Committee Meeting

### Chairman

ALICE HOWARD

### Vice Chairman

GERLAD DAWSON

### Council Members

LOGAN CUNNINGHAM

YORK GLOVER, SR.

CHRIS HERVOCHON

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# Natural Resources Committee Minutes

Monday, February 01, 2021 at 3:00 PM

Or immediately following the Community Services Committee Meeting no sooner than 3:00PM. [This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05]

### PRESENT

Committee Chair Alice Howard  
Committee Vice-Chair Gerald Dawson  
Council Member Christopher Hervochoon  
Council Member Joseph F. Passiment  
Council Member D. Paul Sommerville  
Council Member Stu Rodman  
Council Member York Glover  
Council Member Mark Lawson  
Council Member Lawrence McElynn  
Council Member Logan Cunningham

### ABSENT

Council Member Brian Flewelling

### CALL TO ORDER

Chairman Howard called the meeting to order at 3 PM

### PLEDGE OF ALLEGIANCE

Chairman Howard led the Pledge of Allegiance.

### FOIA

Chairman Howard noted that public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act

### APPROVAL OF AGENDA

Motion: It was moved by Council Member Glover, seconded by Council Member Sommerville to approve the agenda. The motion was approved without objection.

### APPROVAL OF MINUTES

Motion: It was moved by Council Member Lawson, seconded by Council Member Glover to approve minutes from November 11, 2020 and December 7, 2020. The motion was approved without objection.

### ACTION ITEMS

**Consideration of ordinance regarding the amendment to article 7, section 7.3.30.e (appeals)**

Eric Greenway stated this is a minor amendment to Article 7, Section 7.3.30.E to make the language in the Community Development Code better match the language in the SC State Planning Enabling Act of 1994 regarding appeals. The current language in the Community Development Code stays all county actions during an appeal, whereas the state enabling legislation stays "illegal proceedings". Staff believes that the existing language in the CDC is too broad and should be revised to match the state legislation. This action is a follow up of an item that the Natural Resources Committee reviewed at its November 2, 2020 meeting where staff proposed to limit appeals of conceptual subdivisions and land developments. The purpose of this limit would be avoid appeals at a stage of a project where it is not fully designed. The Natural Resources Committee did not approve staff's proposal at that time and directed staff to consider a different approach.

**Motion:** It was moved by Council Member Glover, seconded by Council Member Sommerville to move forward to County Council for approval. The motion was approved without objection.

## **PRESENTATION ITEMS**

### **2020 Rural and Critical Land Preservation Program Annual Report to be presented by Beaufort County Open Land Trust**

Kate Schaefer, Open Land Trust, presented the Rural and Critical Lands Annual report from 2020. Pgs. 14 - 22

**Status:** For Informational Purposes Only

### **Consideration of a resolution designating 6 code enforcement officers to Stormwater and Public Works.**

Danny Polk, Beaufort County Public Works Enforcement Officer

Amber Woods, Beaufort County Public Works Enforcement Officer

Jacob Bratz, Beaufort County Public Works Enforcement Officer

Katie Herrera, Beaufort County Public Works Enforcement Officer

Tanner Powell, Beaufort County Public Works Enforcement Officer

Bobby Anderson, Beaufort County Public Works Enforcement Officer

Neil Desai stated County Council hereby appoints and commissions the individual will be Public Works Enforcement Officer for Beaufort County. Each Public Works Enforcement Officer shall present the appropriate certificate to the Beaufort County Magistrate's office prior to any official action as a Public Works Enforcement Officer.

**Motion:** It was moved by Council Member Sommerville, seconded by Council Member Glover to move forward to County Council on February 8, 2021 for approval. The motion was approved without objection.

## **BOARDS AND COMMISSIONS**

### **Consideration of the reappointment for Kevin Hennelly (2nd term) and Cecily McMillan (2nd term) to Planning Commission**

**Motion:** It was moved by Council Member Glover, seconded by Committee Vice-Chair Dawson to move reappointments of Kevin Hennelly and Cecily McMillain to County Council for approval. The motion was approved without objection.

### **Natural Resources Vacancies**

Chairman Howard stated which boards has vacancies for Natural Resources.

Status: For Informational Purposes Only

## **CITIZEN COMMENTS**

### **Citizen Comments**

CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING AT PO DRAWER 1228, BEAUFORT SC 29901 OR BY WAY OF OUR PUBLIC COMMENT FORM AVAILABLE ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV

No Comments

## **EXECUTIVE SESSION**

**Motion:** It was moved by Council Member Rodman, seconded by Council Member Glover to go into Executive Session. The motion was approved without objection.

**Pursuant to S.C. code section 30-4-70(2): discussion of negotiations and receipt of legal advice related to pending litigation - Hilton Head National / Scratch Golf**

**S.C. code section 30-4-70(2): discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property R300 011 000 0049 0000 and also known as Henry Farms North**

## **MATTERS ARISING OUT OF EXECUTIVE SESSION**

**Motion:** It was moved by Council Member Glover, seconded by Council Member Sommerville to move to County Council to purchase the development rights to Henry Farms North on St. Helena Island as described in executive session. The motion was approved without objection.

## **ADJOURNMENT**

The meeting was adjourned 4:55 PM



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
RURAL AND CRITICAL LAND PRESERVATION PROGRAM CONSULTING SERVICES FOR BEAUFORT COUNTY
<b>MEETING NAME AND DATE:</b>
Natural Resources Committee, Monday, March 1, 2021
<b>PRESENTER INFORMATION:</b>
Mr. Dave Thomas, Beaufort County Purchasing Director 15-20 Minutes
<b>ITEM BACKGROUND:</b>
Rural and Critical Land Preservation Board consultant contract expired June 30, 2020. An RFQ was put out to bid in May 2020 but was cancelled. A revised RFQ was put out to bid in January 2021. There was only one submittal.
<b>PROJECT / ITEM NARRATIVE:</b>
The Beaufort County Rural and Critical Land Preservation Program is a tax-payer bond funded land acquisition program administered by the Beaufort County Planning and Zoning Department. The purpose of the Program is to provide a means by which rural and critical lands may be protected and enhanced as economic and environmental resources of major importance. In accordance with the Rural and Critical Land Preservation Ordinance (26-26 to 26-49 (2019/48)), Land Preservation Bond Referendum, the Beaufort County Comprehensive Plan, and Beaufort County policies and priorities, the consultant shall provide staff support and assistance with the purchase of fee simple and/or development rights pursuant to the Program ordinance.
<b>FISCAL IMPACT:</b>
\$170,000.00 a year from the Beaufort County Rural and Critical Land Preservation Program Bond Referendum (Account # 4500). The contract term will be for 12 months beginning April 1, 2021 through March 31, 2022. There may be an opportunity to extend the contract for four (4) additional 12 month terms depending on annual staff review of consultant's performance and funding availability. Any potential extensions will be determined during the County's budget process.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval of the proposal as submitted.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust and forward to County Council for approval. Motion to modify the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust Motion to deny the RFQ for The Rural and Critical Land Preservation Program Consultant submitted by Beaufort County Open Land Trust



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>Zoning Map Amendment/Rezoning Request for 17.92 acres (R600 013 000 0369 0000) at the Intersection of Okatie Highway and Cherry Point Road from T2 Rural to C3 Neighborhood Mixed Use and C4 Community Center Mixed Use Districts.</i>
<b>MEETING NAME AND DATE:</b>
<i>Natural Resources Committee Meeting, March 1, 2021</i>
<b>PRESENTER INFORMATION:</b>
<i>Noah Krepps, Long Range Planner, Beaufort County Planning and Zoning (10 minutes need for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their February 1, 2021 meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant seeks to change the zoning of a 17.92-acre lot at the northeast corner of Okatie Hwy and Cherry Point Rd. The property is currently zoned T2 Rural (see staff report). The applicant seeks C4 Community Center Mixed Use zoning in the front of the property and C3 Neighborhood Mixed Use zoning in the rear to facilitate the development of commercial frontage and multi-family workforce housing on the site.</i>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends approval of the application with the condition that the applicant shall follow the recommendations of the Traffic Impact Analysis and any additional conditions as provided by Kimley-Horn and the Beaufort County School District.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>To approve or deny the zoning amendment for R600 013 000 0369 0000 from T2 Rural to C3 Neighborhood Mixed Use and C4 Community Center Mixed Use.</i>

ORDINANCE 2021 / \_\_

**ZONING MAP AMENDMENT/REZONING REQUEST FOR 17.92 ACRES (R600 013 000 00369 0000) AT THE INTERSECTION OF OKATIE HIGHWAY AND CHERRY POINT ROAD FROM T2 RURAL TO C3 NEIGHBORHOOD MIXED USE AND C4 COMMUNITY CENTER MIXED USE DISTRICTS.**

**WHEREAS**, added text is highlighted in yellow and underlined.

Adopted this \_\_\_ day of \_\_\_\_\_ 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_

Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_

Sarah W. Brock, JD, Clerk to Council

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# Existing Zoning

**Legend**

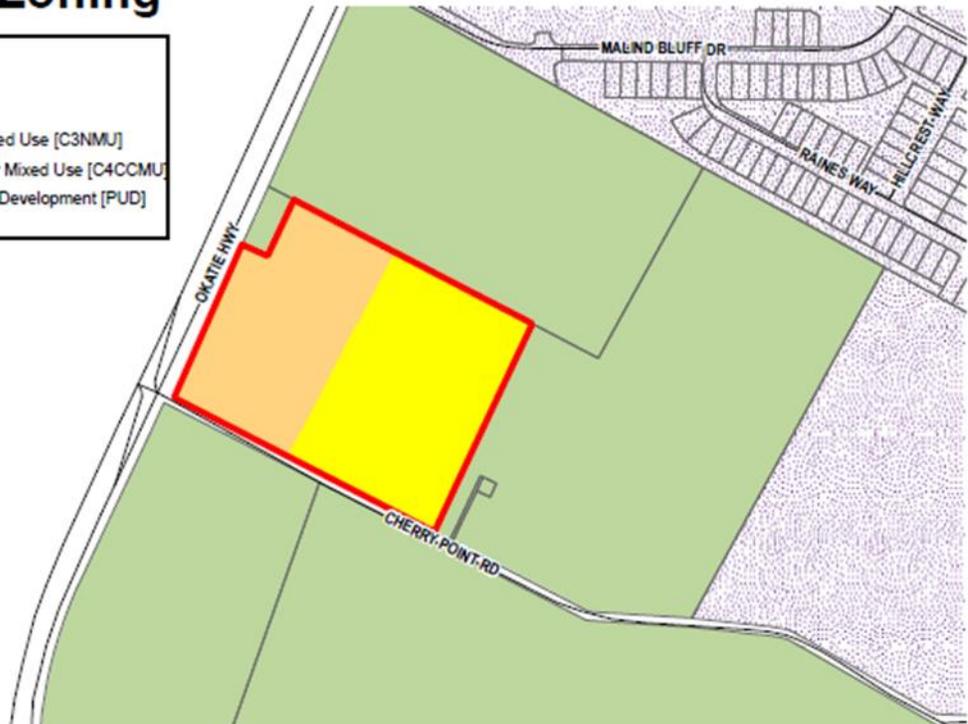
- R600 13 309
- Zone Districts
- FBCode
- Existing Planned Unit Development [PUD]
- T2 Rural (T2R)



# Proposed Zoning

**Legend**

- R600 13 309
- FBCode
- C3 Neighborhood Mixed Use [C3NMU]
- C4 Community Center Mixed Use [C4CCMU]
- Existing Planned Unit Development [PUD]
- T2 Rural (T2R)





# MEMORANDUM

**TO:** Beaufort County Planning Commission

**FROM:** Noah Krepps, Beaufort County Planning and Zoning Department

**DATE:** February 16, 2021

**SUBJECT:** Zoning Map Amendment/Rezoning Request for 17.92 acres (R600 013 000 0369 0000) at the Intersection of Okatie Highway and Cherry Point Road from T2 Rural to C3 Neighborhood Mixed Use and C4 Community Center Mixed Use Districts; Applicant: Jamie Crosby.

## STAFF REPORT:

### A. BACKGROUND:

**Case No.** ZMA-2020-03

**Owner/Applicant:** Owner - Jamie Crosby; Applicant – Antoine Iskandar, ACH Custom Homes

**Property Location:** Located at the intersection of Okatie Hwy and Cherry Point Rd

**District/Map/Parcel:** R600 013 000 0369 0000

**Property Size:** 17.92 acres

**Current Future Land Use Designation:** Rural

**Current Zoning District:** T2 Rural

**Proposed Zoning District:** C3 Neighborhood Mixed Use and C4 Community Center Mixed Use

**B. SUMMARY OF REQUEST:** The applicant seeks to change the zoning of a 17.92-acre lot at the northeast corner of Okatie Hwy and Cherry Point Rd. The property is currently zoned T2 Rural (see attached map). The applicant seeks C4 Community Center Mixed Use zoning in the front of the property and C3 Neighborhood Mixed Use zoning in the rear to facilitate the development of commercial frontage and multi-family workforce housing on the site.

**C. EXISTING ZONING:** The lot is currently zoned T2 Rural (T2R), which permits residential development at a density of one dwelling unit per 3 acres. Under this zoning, 5 dwelling units would be permitted on this lot. T2 Rural also permits very limited non-residential uses.

**D. PROPOSED ZONING:** The Community Center Mixed Use (C4CCMU) district provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood. These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They blend with the surrounding areas, rather than threaten the character of the area. The C4CCMU portion of this site would allow for a little over 70,000 square feet of commercial development.

The Neighborhood Mixed Use (C3NMU) district provides for high quality, moderate-density residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements provide a suburban character and encourage pedestrian, as well as automobile, access. The C3NMU area on this property would allow for 80 multi-family dwelling units and 25 single-family dwelling units.

**E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** All 17.92 acres of the lot are designated Rural on the Future Land Use Map. The Comprehensive Plan states that future development in rural areas should be similar to the type and mix of land uses currently found in the Sheldon area, St. Helena Island, and along the SC-170 corridor between McGarvey's Corner and the Broad River Bridge. The maximum gross residential density in rural areas is one dwelling unit per three acres.

Staff concludes that the Rural designation is no longer appropriate for this property, as it is located next to Okatie Elementary, the River Oaks and Osprey Point PUDs, and existing service uses across SC-170. With these recent development trends, staff finds it appropriate to change the designation of the property to Neighborhood Mixed Use.

**F. TRAFFIC IMPACT ANALYSIS (TIA):** According to Section 6.3.20.D of the CDC, "*An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.*" In response to staff's request for TIA, the applicant hired Bihl Engineering to do a traffic study, which is attached. The report provides the following recommendations:

- Due to the uncertainty both in the details of the site beyond a concept plan and the timing of improvements external to the site, the completion of formal traffic impact analysis is recommended when the plans for the site are more defined. This would include the following (but is not limited to):
  - Analysis of study area intersections as determined at that time by regulatory staff. (Additional improvements than what is noted in this study may be identified in future TIAs.)
  - Coordinate with Beaufort County and SCDOT the location, number and design details of the project access points on Cherry Point Road
- SC 170 at Cherry Point Road/Pearlstine Drive (if not already completed by others)
  - Restriping of the westbound approach (Cherry Point Road) into a shared through-right turn lane
  - Installation of a second left-turn lane on Cherry Point Road
  - Optimize traffic signal timings
- Cherry Point Road at C4 Project Access
  - Installation of eastbound left-turn lane on Cherry Point Road
- Cherry Point Road at C3 Project Access
  - Installation of eastbound left-turn lane on Cherry Point Road

- Coordinate with Beaufort County (and Okatie Village PUD developer as appropriate) on improvement plans for Cherry Point Road identified in the Okatie Village PUD
- Coordination with Beaufort County, Beaufort County School District staff regarding school access and stacking on Cherry Point Road
- Coordination with Beaufort County, LCOG, adjacent developers on future widening of SC 170 to six lanes, implementation of the LCOG access management concept, or other improvement.

Beaufort County contracted with Kimley-Horn to provide a professional analysis of the traffic study on behalf of the County. They will provide their analysis at the Planning Commission meeting.

**G. SCHOOL CAPACITY IMPACTS:** The School District has been given a copy of this proposed amendment. The School District does not have excess capacity to address the potential increase in the number of students in southern Beaufort County. In this immediate area, the District is already facing the need to absorb the students that will result from the 711 dwelling units in River Oaks and Mailand Bluff.

**H. ZONING MAP AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. **Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;** Staff feels that the Rural designation in the Comprehensive Plan is no longer appropriate for this site. Given its proximity in each direction to multiple Planned Unit Developments, Okatie Elementary School, and a variety of service uses on the Jasper County side of SC-170, it would be better suited for the Neighborhood Mixed Use designation.

The proposed C4CCMU zoning for the lot frontage allows commercial uses that would be compatible with existing development on nearby lots along SC-170 and provide nearby residents access to commercial and service uses within their neighborhood.

The C3NMU zoning for the rear of the lot recommends a maximum gross density of 2 dwelling units per acre, but it does permit higher densities for workforce and affordable housing (see D above). This zoning would provide medium density residential development with potential for walkable/bike-able connections to the adjacent school and commercial development.

2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;** The proposed rezoning does not conflict with the CDC or Code of Ordinances.
3. **Addresses a demonstrated community need;** The applicant proposed to develop affordable housing on the site, which has been documented in the Housing Needs Assessment to be a community need.
4. **Is required by changed conditions;** N/A.
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 site is located directly across SC-170 from Riverwalk Business Park, and adjacent to the River Oaks and Osprey Point PUDs. Okatie Elementary School is directly adjacent to the site as well. The immediate area is a mixture of residential, commercial, and institutional uses.
6. **Would not adversely affect nearby lands;** There are no apparent adverse impacts, but the developer will need to coordinate closely with County and school district staff through each step of development.

7. **Would result in a logical and orderly development pattern;** See 5 and 6 above.
8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:** Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.
9. **Would result in development that is adequately served by public facilities (e.g. streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities):** The site is in close proximity to public sewer and water, schools, fire and EMS. However, the nearest school, Okatie Elementary, is near capacity. Also, there are existing traffic issues at the Cherry Point Road/SC 170 intersection related to bus and car riders going to and from Okatie Elementary school. This issue along with other potential impacts of this rezoning need to be addressed in a Traffic Impact Analysis in coordination with the school district.

**I. STAFF RECOMMENDATION:** Staff **recommends conditional approval** of the application for the following condition:

- The applicant shall follow the recommendations of the Traffic Impact Analysis and any additional conditions as provided by Kimley-Horn and the Beaufort County School District.

**J. PLANNING COMMISSION RECOMMENDATION:** At the February 2, 2021 meeting of the Beaufort County Planning Commission, the Commission voted unanimously to recommend denial of the proposed amendment to County Council.

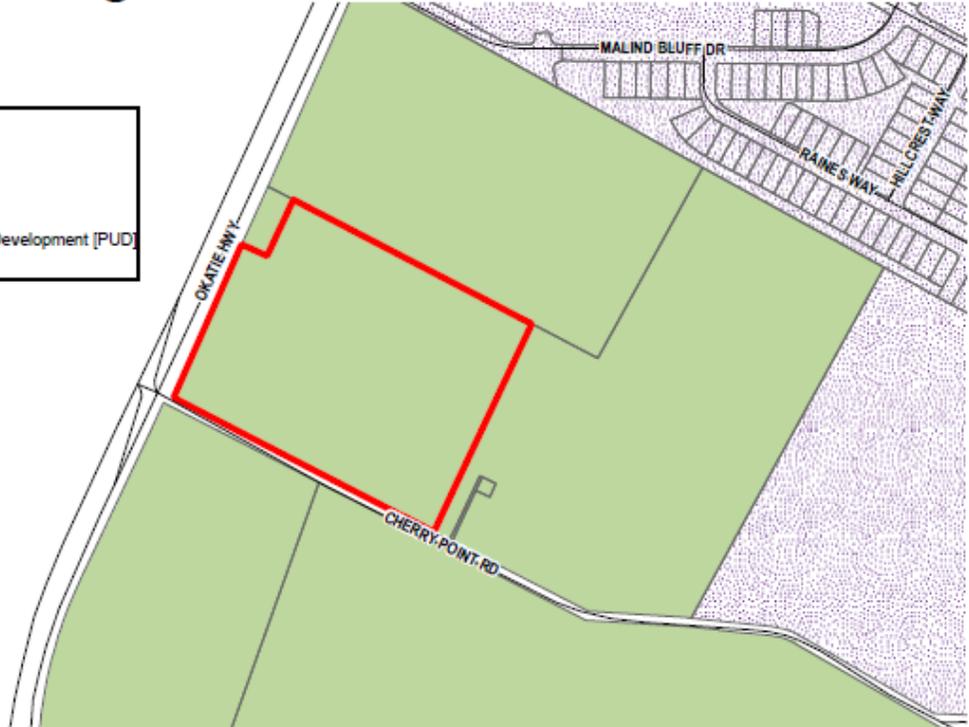
**K. ATTACHMENTS**

- Zoning Map (existing and proposed)
- Location Map

# Existing Zoning

**Legend**

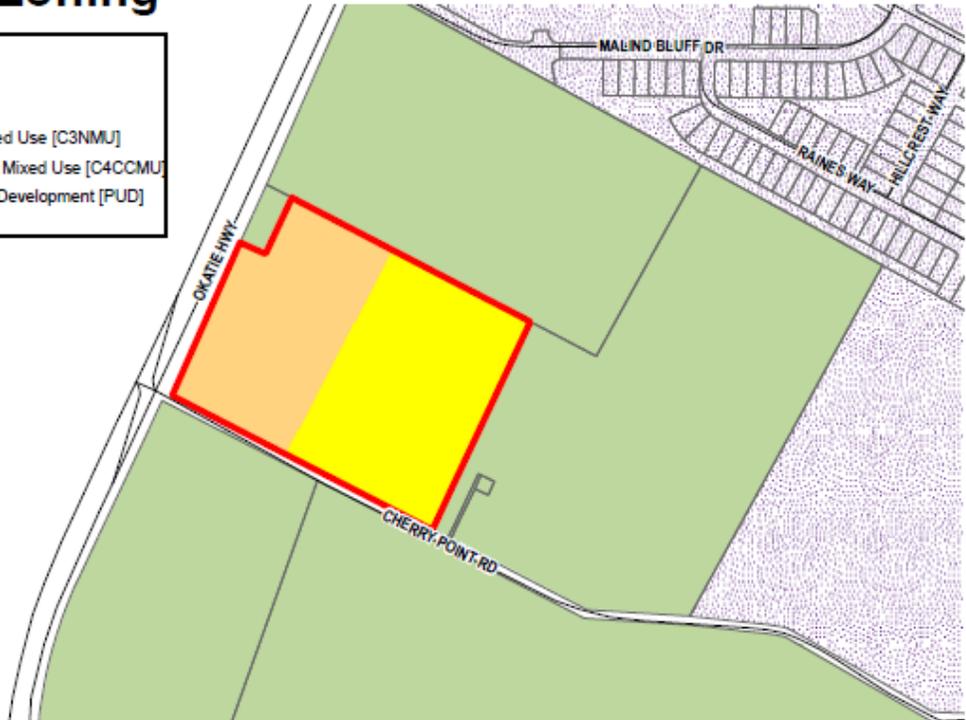
- R600 13 309
- Zone Districts
- FBCode
- Existing Planned Unit Development [PUD]
- T2 Rural (T2R)



# Proposed Zoning

**Legend**

- R600 13 309
- FBCode
- C3 Neighborhood Mixed Use [C3NMU]
- C4 Community Center Mixed Use [C4CCMU]
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**ORDINANCE 2021 / \_\_**

**ZONING MAP AMENDMENT/REZONING REQUEST FOR 1.96 ACRES (R600 036 000 015E 0000) AT THE INTERSECTION MAY RIVER ROAD AND BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER.**

**WHEREAS**, added text is highlighted in yellow and underlined.

Adopted this \_\_\_ day of \_\_\_\_\_ 2021.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_

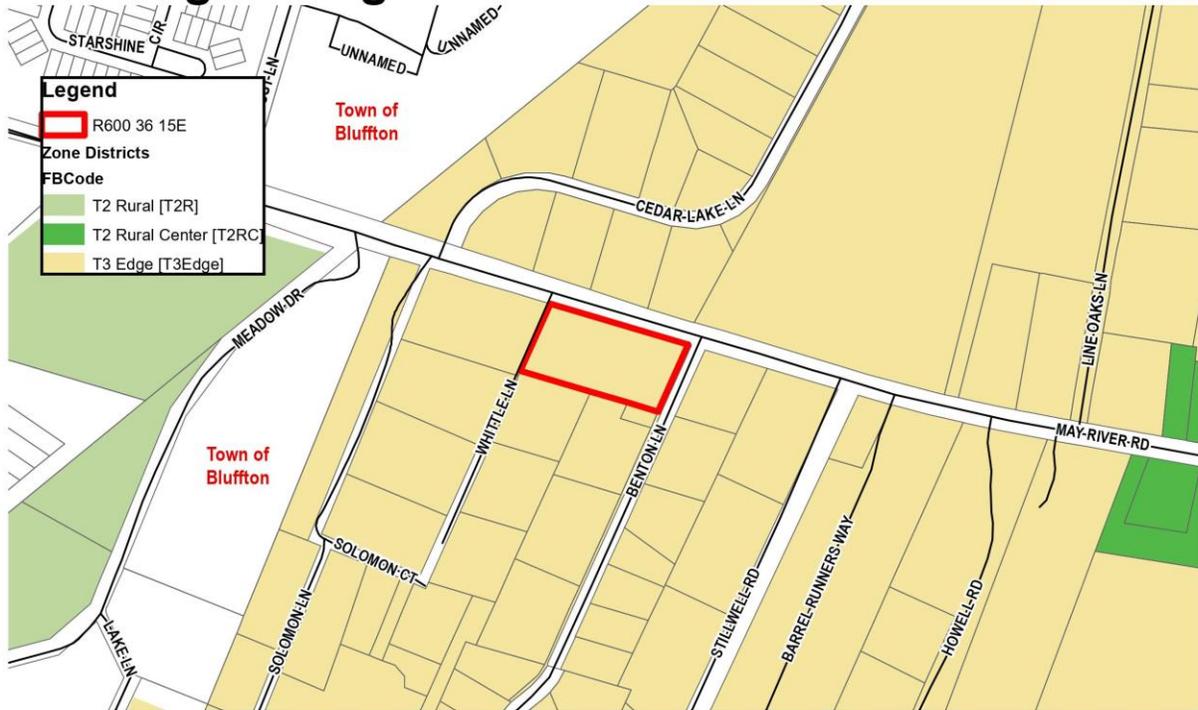
Joseph Passiment, Chairman

ATTEST:

\_\_\_\_\_

Sarah W. Brock, JD, Clerk to Council

# Existing Zoning



# Proposed Zoning





# MEMORANDUM

**TO:** Alice Howard, Chairperson, Natural Resources Committee of County Council

**FROM:** Noah Krepps, Beaufort County Planning and Zoning Department

**DATE:** February 16, 2021

**SUBJECT:** Zoning Map Amendment/Rezoning Request for 1.96 acres (R600 036 000 015E 0000) at the Intersection of May River Rd and Benton Ln from T3 Edge to T2 Rural Center

## STAFF REPORT:

### A. BACKGROUND:

**Case No.** ZMA-2020-03

**Owner/Applicant:** Lydia Group LLC / Blaine McClure

**Property Location:** Located at the intersection of May River Rd and Benton Ln

**District/Map/Parcel:** R600 036 000 015E 0000

**Property Size:** 1.96 acres

**Current Future Land Use Designation:** Neighborhood Mixed-Use

**Current Zoning District:** T3 Edge

**Proposed Zoning District:** T2 Rural Center

**B. SUMMARY OF REQUEST:** The applicant seeks to change the zoning of a 1.96-acre lot at the western corner of Benton Ln and May River Rd from T3 Edge to T2 Rural Center (see attached map). The parcel was zoned Neighborhood Commercial District under the 1990 Development Standards Ordinance and was rezoned to Community Preservation in 1999, allowing the commercial development rights to carry over. In 2011, the County held a charrette for the Pritchardville community during the development of the Community Development Code. At that time, the community decided to limit commercial development to a smaller area around the intersection of Gibbet Rd and May River Rd. In 2014, the Community Development Code was adopted, and 122 May River Rd was zoned T3 Edge because it was outside of the small commercial district identified in the charrette.

The **T2 Rural Center (T2RC)** district allows a diverse mix of land uses including residential, retail, service, and limited light industrial. It is a lower intensity walkable area in the immediate vicinity of a rural crossroads or other important rural intersection.

**E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** This 1.96-acre lot is designated Neighborhood Mixed-Use on the Future Land Use Map. Future development in neighborhood mixed-use areas should be primarily residential with some supporting neighborhood retail establishments. A very small percentage of the designated area should consist of commercial development.

**F. ZONING MAP AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which 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 Land Use chapter of the Comprehensive Plan identifies the need to provide sufficient land for non-retail commercial uses that promote economic health and diversity. The Neighborhood Mixed-Use area in which the proposed rezoning lies already has a mix of service, retail, and light industrial uses between the parcel in question and the Gibbet Rd intersection.

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

The proposed rezoning constitutes a “spot zoning,” as it is not adjacent to any other T2 Rural Center parcels.

**3. Addresses a demonstrated community need;**

See 1 above.

**4. Is required by changed conditions;**

N/A.

**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;**

Existing uses on the surrounding land are primarily residential. The proposed zoning change would allow for a broader mix of intense commercial, service, and light industrial uses.

**6. Would not adversely affect nearby lands;**

As stated in 5, there is potential for adverse impacts on the existing residential developments in the adjacent area.

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

See 5 and 6 above.

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

Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

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

The site does not currently have access to public sewer or water. It does have paved vehicular access from Benton Ln. Future development that generates over 50 peak-hour trips will require a traffic impact analysis.

**G. STAFF RECOMMENDATION:** The proposed zoning change from T3 Edge to T2 Rural Center constitutes a “spot zoning” and cannot be supported by Planning staff. Staff also has concerns about potential impacts on the surrounding residential areas.

Staff acknowledges that the owner applied for development permits for a convenience store in both 2000 and 2002. The store was never built, but good faith was shown through the owner’s intent to develop at that time.

**H. PLANNING COMMISSION RECOMMENDATION:** At the February 2, 2021 meeting of the Beaufort County Planning Commission, the Commission voted (5 for and 3 against) to recommend denial of the proposed amendment to County Council.

**I. ATTACHMENTS**

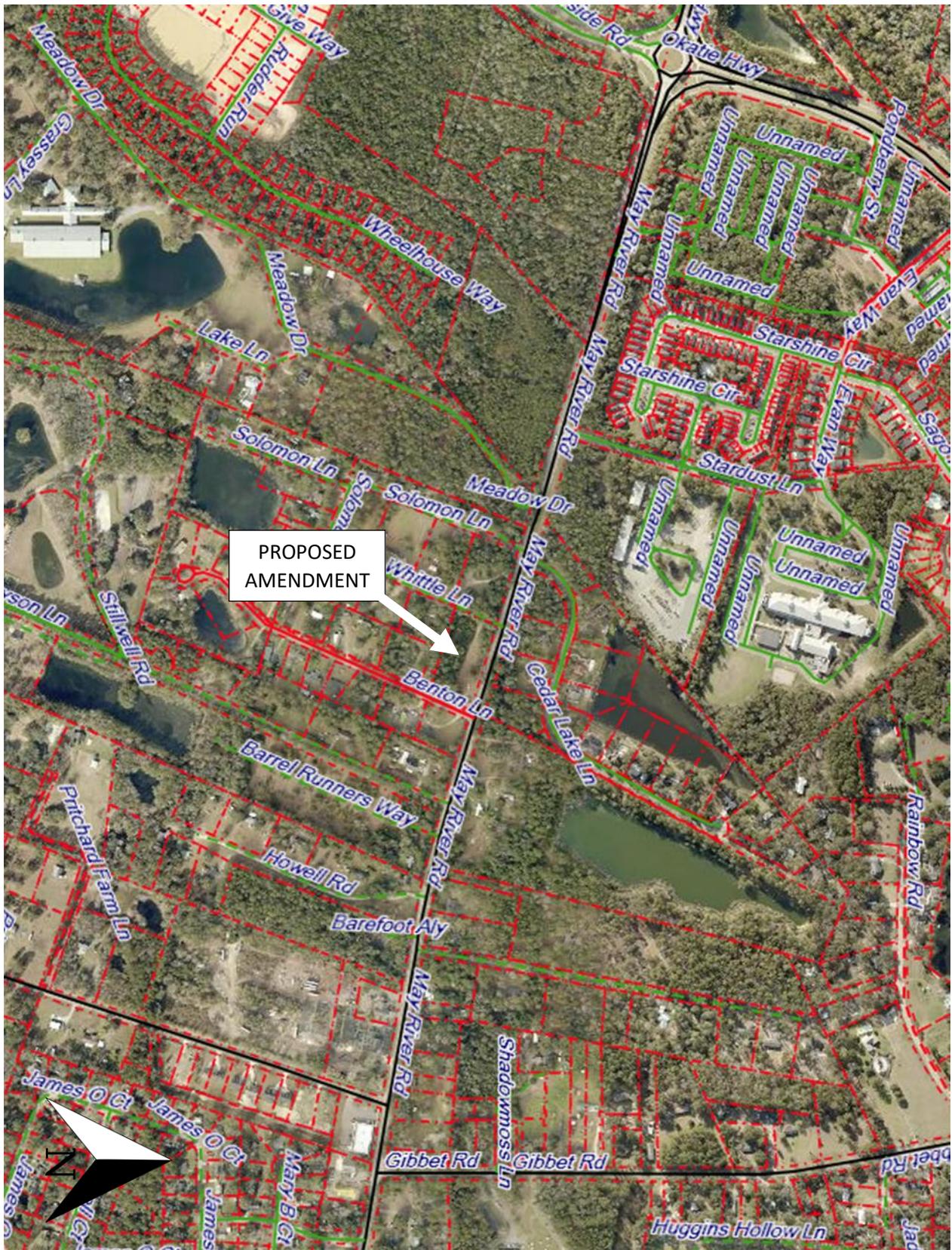
- Zoning Map (existing and proposed)
- Location Map

### Existing Zoning



### Proposed Zoning







# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<i>Zoning Map Amendment/Rezoning Request for 1.96 acres (R600 036 000 015E 0000) at the Intersection of May River Rd and Benton Ln from T3 Edge to T2 Rural Center</i>
<b>MEETING NAME AND DATE:</b>
<i>Natural Resources Committee Meeting, March 1, 2021</i>
<b>PRESENTER INFORMATION:</b>
<i>Noah Krepps, Long Range Planner, Beaufort County Planning and Zoning (10 minutes need for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their February 1, 2021 meeting. At that time the Commission voted (5 for and 3 against) to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant seeks to change the zoning of a 1.96-acre lot at the western corner of Benton Ln and May River Rd from T3 Edge to T2 Rural Center (see attached map). The parcel was zoned Neighborhood Commercial District under the 1990 Development Standards Ordinance and was rezoned to Community Preservation in 1999, allowing the commercial development rights to carry over. In 2001 and 2003, the owner received a development permit to construct a convenience store on the site. The store was never built and the permit expired. In 2011, the County held a charrette for the Pritchardville community during the development of the Community Development Code. At that time, the community decided to limit commercial development to a smaller area around the intersection of Gibbet Rd and May River Rd. In 2014, the Community Development Code was adopted, and 122 May River Rd was zoned T3 Edge because it was outside of the small commercial district identified in the charrette.</i>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>The proposed zoning change from T3 Edge to T2 Rural Center constitutes a “spot zoning” and cannot be supported by Planning staff. Staff also has concerns about potential impacts on the surrounding residential areas. However, staff acknowledges that the owner historically applied for development permits for a convenience store in both 2001 and 2003. The store was never built, but good faith was shown through the owner’s intent to develop at that time.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>To approve or deny the zoning amendment for 122 May River Road from T3 Edge to T2 Rural Center.</i>



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
NATURAL RESOURCES COMMITTEE MEETING <ul style="list-style-type: none"><li>MARCH 1, 2021</li></ul>
<b>PRESENTER INFORMATION:</b>
COMMITTEE CHAIRMAN HOWARD
<b>ITEM BACKGROUND:</b>
DESIGN REVIEW BOARD - ROGER JADOWNS  1st 1st TERM REGISTERED ARCHITECT 4 - YEAR TERM OF VOLUNTEER SERVICE
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPOINTMENT FOR ROGER JADOWN TO DESIGN REVIEW BOARD
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT FOR ROGER JADOWN TO DESIGN REVIEW BOARD TO MOVE FORWARD TO COUNTY COUNCIL FOR FINAL APPROVAL



COUNTY COUNCIL OF BEAUFORT COUNTY  
County Boards, Agencies, Commissions, Authorities and Committees



County Council of Beaufort County selects citizens for service on Council appointed Boards, Agencies, Commissions, Authorities and Committees from a roster of individuals who have either volunteered or have been recommended for appointment. The Clerk to Council uses this form to keep an up-to-date roster of volunteers and to provide Council basic information about each volunteer.

**Top Three Priorities:** Please indicate by placing a "1", "2", or "3" alongside your choices.

**BOARDS AND COMMISSIONS**

- Accommodations Tax (2% State)
- Airports
- Alcohol and Drug Abuse
- Assessment Appeals
- Beaufort County Transportation
- Beaufort-Jasper Economic Opportunity
- Beaufort-Jasper Water & Sewer
- Beaufort Memorial Hospital
- Bluffton Township Fire
- Burton Fire
- Coastal Zone Management Appellate (inactive)
- Construction Adjustments and Appeals
- Daufuskie Island Fire
- Design Review
- Disabilities and Special Needs
- Economic Development Corporation
- Forestry (inactive)
- Historic Preservation Review
- Keep Beaufort County Beautiful
- Lady's Island / St. Helena Island Fire
- Library
- Lowcountry Council of Governments
- Lowcountry Regional Transportation Authority
- Parks and Recreation
- Planning \*
- Rural and Critical Lands Preservation
- Sheldon Fire
- Social Services (inactive)
- Solid Waste and Recycling
- Southern Beaufort County Corridor Beautification
- Stormwater Management Utility
- Zoning

DATE: 2/9/21 NAME: ROGER JADOWN

BEAUFORT COUNTY VOTER REGISTRATION NUMBER: [REDACTED]

OCCUPATION: RETIRED ARCHITECT

TELEPHONE: (Home) [REDACTED] (Office) MP EMAIL: [REDACTED]

HOME ADDRESS: [REDACTED] STATE: GA ZIP CODE: [REDACTED]

MAILING ADDRESS: SPUR STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

COUNTY COUNCIL DISTRICT: 1  2  3  4  5  6  7  8  9  10  11

ETHNICITY: Caucasian  African American  Other

Are you presently serving on a Board, Agency, Commission, Authority or Committee? Yes  No

If "yes", what is the name of the board and when does term expire? NA

- Please return completed form and a brief resume' either Email or U.S. Mail:
  - Email: [boardsandcommissions@bcgov.net](mailto:boardsandcommissions@bcgov.net)
  - U.S. Mail: Clerk to Council, County Council of Beaufort County, P.O. Drawer 1228, Beaufort, SC 29901
- Applications without a brief resume' cannot be considered.
- Applications will be held **three (3) years** for consideration.
- All information contained on this application is subject to public disclosure.

**YOU MUST BE A BEAUFORT COUNTY REGISTERED VOTER TO APPLY**  
**YOU MUST ATTACH YOUR RESUME' WITH THIS APPLICATION TO BE CONSIDERED**  
An incomplete application will be returned

\* Anyone submitting an application to serve on the Planning Commission must fill out the questionnaire on page 2.

Applicant's Signature: Roger Jadown

Submit by Email

From: [REDACTED]  
 To: [Vaughn, Tithanie](mailto:tithanie.vaugh@bcgov.net)  
 Subject: Fwd: DRB  
 Date: Friday, February 5, 2021 9:52:25 AM

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at [helpdesk@bcgov.net](mailto:helpdesk@bcgov.net) or to 843-255-7000.

Hopefully this will suffice.

Roger Jadowan

----- Original Message -----

Subject: DRB  
 Date: Thu, 28 Jan 2021 11:58:51 -0500  
 From: [REDACTED]  
 To: [tithanie.vaugh@bcgov.net](mailto:tithanie.vaugh@bcgov.net)

Cannot email app for some reason. This is the info I filled out. Applying for DRB on 1/28/2021 Name: Roger Jadowan. - Voter [REDACTED] occupation - retired architect -Phone [REDACTED] - email [REDACTED]

District 5 -Caucasian - not serving on any boards

Re: Questionnaire - Unfettered growth leads to chaos. Judicial planning is necessary to achieve healthy environment.

- Retired architect w/ over 30 years experience.
- Insures adherence to master plan.
- Land usage, traffic congestion
- Overbuilding and congestion
- Have not served on any Planning Commission but have

appeared before such boards, commissions and neighborhood groups.

Background. -Registered Illinois Architect . Corporate architect for US Home Illinois Div. Designed housing for subdivisions throughout Illinois. Development Manager for American Development Corp - involved w/ Section 8 housing, historic restoration and registration, low and high rise multi family apartment complexes.

Experience in Shopping Center Design - custom single family homes - office building and incubators projects - rental apartment complexes - medical facilities



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
APPROVAL OF APPOINTMENT
<b>MEETING NAME AND DATE:</b>
NATURAL RESOURCES COMMITTEE MEETING <ul style="list-style-type: none"><li>MARCH 1, 2021</li></ul>
<b>PRESENTER INFORMATION:</b>
COMMITTEE CHAIRMAN HOWARD
<b>ITEM BACKGROUND:</b>
RURAL AND CRITICAL LANDS PRESERVATION BOARD FOR JOHN MAFFEI. <ul style="list-style-type: none"><li>1st TERM IN DISTRICT 10<ul style="list-style-type: none"><li>SERVED A PARTIAL TERM IN DISTRICT 7</li></ul></li><li>4-YEAR TERM OF VOLUNTEER SERVICE</li></ul>
<b>PROJECT / ITEM NARRATIVE:</b>
CONSIDERATION OF APPOINTMENT FOR JOHN MAFFEI TO RURAL AND CRITICAL LANDS PRESERVATION BOARD.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
APPROVE, MODIFY OR REJECT
<b>OPTIONS FOR COUNCIL MOTION:</b>
MOTION TO (APPROVE, MODIFY, REJECT) APPOINTMENT FOR JOHN MAFFEI TO RURAL AND CRITICAL LANDS PRESERVATION BOARD TO MOVE FORWARD TO COUNTY COUNCIL FOR FINAL APPROVAL.

**Vaughn, Tithanie**

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**From:** Lawrence Mc Elynn [REDACTED] >  
**Sent:** Thursday, February 11, 2021 10:58 AM  
**To:** Vaughn, Tithanie  
**Cc:** Howard, Alice G.; Brock, Sarah; Flake, Amanda  
**Subject:** Re: RCLPB District 7 Member Residency Change & District 10 Vacancy

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at [helpdesk@bcgov.net](mailto:helpdesk@bcgov.net) or to 843-255-7000.

In agreement

Regards  
Larry McElynn  
Council Member  
Beaufort County Council  
District 10  
Hilton Head Island  
South Carolina

On Feb 11, 2021, at 9:46 AM, Vaughn, Tithanie <tithanie.vaughn@bcgov.net> wrote:

Citizens are encouraged to call or e-mail before driving to a Beaufort County Office. Visit us online at [www.beaufortcountysc.gov](http://www.beaufortcountysc.gov).  
Effective July 17, all Beaufort County buildings are closed to the public until further notice to minimize opportunities to spread COVID-19 in our community.

Good Morning Everyone,

We do have a District 10 vacancy for Rural and Critical Lands. Mr. Maffei was coming up for reappointment this month so if Council Member McElynn is in agreeance I can submit him for consideration of appointment for district 10 and not district 4.

Thank you,

T. Vaughn  
Senior Administrative Assistant to Clerk to Council  
Beaufort County Government, SC  
843-255-2182 (Office)

[REDACTED]

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**From:** John Maffei [REDACTED] >  
**Sent:** Tuesday, February 9, 2021 7:44 PM  
**To:** Michael Mathews [REDACTED] >; Flake, Amanda <[aflake@bcgov.net](mailto:aflake@bcgov.net)>  
**Subject:** RCLPB District 7 Member Residency Change & District 10 Vacancy

Chairman Mathews,

On March 3, 2021 my wife and I will become permanent residents at 30 Lavender Circle, Hilton Head SC in District 10 Beaufort County. The community we are moving into is maintenance free.

As of that date I cannot represent District 7 since I will not be a Bluffton SC resident.

I will be a District 10 resident on that date. If the District 10 RCLPB vacancy still exists I would be honored to fill it should you, the board members, and the County Board of Supervisors agree it would be beneficial.

I believe I have to resign the District 7 position and apply for the District 10 position (if available), but please advise accordingly.

Respectfully,  
John Maffei  
RCLPB District 7

COUNTY COUNCIL OF BEAUFORT COUNTY  
ADMINISTRATION BUILDING  
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
100 RIBAUT ROAD  
POST OFFICE DRAWER 1228  
BEAUFORT, SOUTH CAROLINA 29901-1228  
TELEPHONE: (843) 255-2180  
[www.beaufortcountysc.gov](http://www.beaufortcountysc.gov)

STEWART H. RODMAN  
CHAIRMAN

D. PAUL SOMMERVILLE  
VICE CHAIRMAN

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MARK LAWSON  
LAWRENCE P. MCELYNN  
JOSEPH PASSIMENT

ASHLEY JACOBS  
COUNTY ADMINISTRATOR

SARAH W. BROCK  
CLERK TO COUNCIL

May 2020

John Maffei  
(Council District 7)  
30 Yonges Island Drive  
Bluffton, SC 29910

Re: Appointment to the Rural and Critical Lands Preservation Board

Dear Mr. Maffei:

It is my very distinct pleasure to advise you that you have been appointed by the Beaufort County Council to serve as a member on the Rural and Critical Lands Preservation Board .

This will be a partial- term appointment, which expires February 2021, and we are very appreciative of your willingness to serve. Council evaluated a number of applicants, and we feel you will do an excellent job.

Please accept our best wishes as you embark upon your service to Rural and Critical Lands Preservation Board. I ask that you be cognizant of Council’s policy that all members of its Boards, Agencies and Commissions attend at least two-thirds of the regular meetings, and we are attempting to enforce this policy. We believe that an effective representative is one who participates consistently in the decision-making process. You will be notified of the next meeting of the Rural and Critical Lands Preservation Board and, I trust you will be able to attend.

Again, thank you for your willingness to serve Beaufort County and its citizens, and please call upon me if I can answer any questions concerning this appointment.

Sincerely,

Stewart H. Rodman, Chairman

cc: Michael Mathews, Chairman  
Alice Howard, Natural Resource Committee Chairman  
Eric Greenway, Planning and Zoning Director  
Amanda, Flake, Administrative Assistant