

The joint meeting of the Beaufort County Planning Commission (hereinafter "County Commission") and the Joint Municipal Planning Commission (hereinafter "Municipal Commission") was held on Tuesday, June 1, 2004, in County Council Chambers of the Beaufort County Administration Building at 100 Ribaut Road, Beaufort, South Carolina.

**County Commission:**

- Members Present: Mr. Jim Hicks, Chair; Mr. Alan Herd, Vice Chair; Ms. Diane Chmelik; Mr. Jerome Goode; Ms. Joy Guyer; Mr. Ben Johnson, III; Mr. Cecil Martin, Jr.; Mr. Vernon Pottenger; and Mr. Mike Zara
- Member Absent: None
- Ex-Officio Present: None
- Staff Present: Mr. Gary Kubic, County Administrator; Mr. H.C. "Buz" Boehm, Public Services Director; Mr. Robert Klink, County Engineer; Mr. Anthony Criscitiello, Planning Division Head; Mr. Colin Kinton, Transportation Engineer/Planner; Mr. Robert Merchant, Long Range Planner; and Ms. Barbara Ann C. Childs, Administrative Assistant to the Planning Director

**Municipal Commission:**

- Members Present: Mr. Joe DeVito, Chairman; Mr. Dave Radford; Mr. Tim Rentz; and Ms. Catherine Vaughn
- Members Absent: Ms. Patty Richards, Vice-Chairman
- Staff Present: Ms. Libby Anderson, City of Beaufort Planning Director; and Ms. Linda Bridges, Town of Port Royal Planning & Operations Administrator

**CALL TO ORDER:** County Commission Chairman Hicks called the meeting to order for both Commissions at approximately 6:05 p.m.

**PLEDGE OF ALLEGIANCE:** County Commission Chairman Hicks led those assembled in the pledge of allegiance.

**REVIEW OF JOINT COMMISSIONS MEETING MINUTES:** The May 4, 2004, Joint Commissions meeting minutes were reviewed.

- **County Commission Motion:** Mr. Zara made a motion, and Mr. Herd seconded, **to accept the minutes of the May 4, 2004, meeting, as written.** The motion was carried (FOR: Chmelik, Goode, Herd, Martin, Pottenger and Zara; ABSTAINED: Guyer).
- **Municipal Commission Motion:** Mr. Radford made a motion, and Ms. Vaughn seconded, **to accept the minutes of the May 4, 2004, meeting, as written.** The motion was carried unanimously (FOR: DeVito, Radford, Rentz and Vaughn).

**NOTE:** *County Commissioner Johnson entered meeting at 6:12 p.m.*

**NORTHERN BEAUFORT TRANSPORTATION IMPACT FEE ORDINANCE**

Chairman Hicks complimented the staff on their work with this ordinance.

Mr. Buz Boehm briefed the Commissions that this item was two-fold – the Capital Improvement Plan for Roads and the impact fee ordinance itself.

Public Comment: None were received.

Discussion by the Commissioners included the funding process, the impact on new homeowners, project inception being dependent upon available revenue and project need, an annual reviewing process that is not stated in the ordinance, the inclusion of Planned Unit Developments/PUDs, the rate schedule and calculation of fee rates, trip generations for golf courses, the use of the national standard Institute of Transportation Engineers/ITE Trip Generation Manual, the applicant providing other data instead of using the Trip Generation Manual, the non-correlation between the square footage of the building and the trip generation standard, the 20-year life of the ordinance or the prescribed completion of the listed projects, a low income housing discount amount that is not in this ordinance, the state enabling law as the governing ordinance, the exemptions from this ordinance, other county remedies since the government entities do not control the utility services, the correlation between impact fees and development agreements, development agreements that must have input by the respective municipalities, amend the first full paragraph on the second page of the ordinance to read: “WHEREAS, the County has commissioned a Report which estimates the need for affordable housing in Northern Beaufort County (See: Workforce Housing Needs Assessment Beaufort County, South Carolina, prepared for Beaufort County by GVA Marquette, Advisors, March 2004); and”, non-qualification of roads with a level of existing deficiencies, Vaigneur Road improvement, resurfacing roads as future needs caused by development to expand road durability, an SC Department of Transportation/DOT study that indicated a traffic light at Brickyard and Sams Point Roads light was not needed, having generic intersections rather than naming specific intersections to signalize to accommodate unexpected growth, the Highway 802 bypass, the methodology on counting trips along Highway 802, the traffic backup to Meridian Road along Highway 802, the affordable housing income level, the plight of the lower middle-income earners not being able to purchase housing in Beaufort, increased housing costs directly affect road uses since workers must commute instead of living near their jobs, and the use of government subsidy for affordable housing impact fees.

Ms. Cantwell, the attorney consultant, will be contacted regarding county remedies since government entities do not control the utility services, naming generic instead of specific intersections to signalize to accommodate unexpected growth, and the assurance that an annual review process will occur despite non-inclusion in this ordinance.

**Municipal Commission Motion:** Mr. Radford made motion, and Mr. DeVito seconded, to recommend approval of Northern Beaufort County Traffic Impact Fee Ordinance and the Northern Beaufort County Transportation Capital Improvements Program (CIP) list, with

**the amendment to change the first full paragraph on the second page of the ordinance to read: “WHEREAS, the County has commissioned a Report which estimates the need for affordable housing in Northern Beaufort County (See: Workforce Housing Needs Assessment Beaufort County, South Carolina, prepared for Beaufort County by GVA Marquette, Advisors, March 2004); and”.** Mr. Rentz recused himself from voting on this motion. The motion was carried (FOR: DeVito, Radford and Vaughn; ABSTAINED: Rentz).

**County Commission Motion:** Ms. Guyer made motion, and Mr. Herd seconded, to recommend approval of Northern Beaufort County Traffic Impact Fee Ordinance and the Northern Beaufort County Transportation Capital Improvements Program (CIP) list, with the amendment to change the first full paragraph on the second page of the ordinance to read: “WHEREAS, the County has commissioned a Report which estimates the need for affordable housing in Northern Beaufort County (See: Workforce Housing Needs Assessment Beaufort County, South Carolina, prepared for Beaufort County by GVA Marquette, Advisors, March 2004); and”. Mr. Pottenger recused himself from voting on this motion. The motion was carried (FOR: Chmelik, Goode, Guyer, Herd, Johnson, Martin and Zara; ABSTAINED: Pottenger).

#### **ROBERT SMALLS PARKWAY JOINT CORRIDOR PLAN**

Chairman DeVito informed the Municipal Commissioners that they would vote on this item at their own meeting on Monday, June 7, 2004.

Mr. Criscitiello gave a brief overview to both Commissions on the history and details of this plan. The Beaufort County Transportation Advisory Committee approved this plan.

Mr. Merchant clarified the details of this Plan.

Discussion by the Commissions included commending staff on the Plan, encouraging property owners to use a frontage road or right turn egress/ingress only, reducing access points, improving upon SC Department of Transportation (SCDOT) standards regarding turn lanes for large tractor trailers, the right-of-way for the walking/bike path within the 50-foot buffer, the Cross Creek shopping area traffic problems, Highway 170 improvements, relocation of existing driveways, the milestone of joint actions by both planning commissions, the possibility of a priority schedule, clarification on bike paths, adjusting the wording to clarify the 50-foot buffer, and connecting Broad River Boulevard and SC 802 accesses to Highway 170 rather than having two lighted intersections so close together.

Both Commission Chairmen applauded the joint action of this and future projects.

**MUNICIPAL COMMISSION ADJOURNMENT:** Mr. DeVito adjourned the Municipal Commission meeting at 7:27 p.m.

**NOTE:** *The County Commission recessed at 7:27 p.m. and reconvened at 7:37 p.m.*

**REVIEW OF COUNTY COMMISSION MEETING MINUTES:** The May 13, 2004, County Commissions meeting minutes were reviewed. Messrs. Pottenger and Johnson were absent for the meeting and noted that their names should be stricken from the motions for the “Review of Minutes” and “Adjournment” portions of the minutes. **MOTION:** Mr. Zara made a motion, and Ms. Chmelik seconded, **to accept the May 13, 2004, minutes, as corrected.** The motion **was carried** (FOR: Chmelik, Goode, Guyer, Herd, Martin and Zara; ABSTAINED: Johnson and Pottenger).

**CHAIRMAN’S REPORT:**

1. Chairman Hicks noted that he was prepared to hold a second meeting, if necessary, on the impact fee ordinance. He also contacted Mr. Merritt Patterson, who provided public comment at the May 4, 2004, meeting, to inform him of tonight’s meeting.
2. Chairman Hicks discussed his written reply to Councilman Dick Stewart’s letter regarding planning and economic development. Chairman Hicks also discussed the staff actions that will occur because of his reply.

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN, APPENDIX I, THE ROBERT SMALLS PARKWAY JOINT CORRIDOR PLAN (adding new appendix)**

-- AND --

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), SEC. 106-2796, ACCESS [to adopt a new subsection (f) for access management standards for properties fronting Robert Smalls Parkway from Highway 280 to the Broad River Bridge]**

Mr. Merchant briefed the Commission. He noted that the last sentence on the second to last paragraph (starting with “Enclosed is...”) should be deleted since the cross-sections were not included. Additionally, the fifth sentence in that same paragraph should read, “It is proposed that the entire trail be developed at one time...” to prevent confusion. The municipalities have approved the two changes.

Discussion included clarification that the bike paths would be on both sides of the roads for one-way direction similarly to those paths in Southern Beaufort County and concern regarding the liability of the paths.

**Motion:** Mr. Herd made a motion, and Ms. Chmelik seconded, **to recommend approval of the Text Amendments to the Beaufort County Comprehensive Plan, Appendix I, The Robert Smalls Parkway Joint Corridor Plan, that adds a new appendix, with the following amendments:**

- a. Amend the fifth sentence of the second to last paragraph of the plan to read, “It is proposed that the entire ~~easement be acquired~~ trail be developed at one time rather than piece-meal fashion when development occurs.”
- b. Delete the last sentence of the second to last paragraph. The sentence read as such, “~~Enclosed is a conceptual cross-section of the Corridor showing the location of the proposed trail.~~”

The motion **was carried unanimously** (FOR: Chmelik, Goode, Guyer, Herd, Johnson, Martin, Pottenger and Zara).

**Motion:** Mr. Herd made a motion, Chmelik seconded, **to recommend approval of the Text Amendments to the Beaufort County Zoning & Development Standards Ordinance (ZDSO), Sec. 106-2796, Access, that adds a new subsection (f) for access management standards for properties fronting Robert Smalls Parkway from Highway 280 to the Broad River Bridge.** The motion **was carried unanimously** (FOR: Chmelik, Goode, Guyer, Herd, Johnson, Martin, Pottenger and Zara).

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE (ZDSO), SEC. 106-1218. COTTAGE INDUSTRY (to amend special/limited use standards)**

Mr. Criscitiello briefed the Commission on the history of this amendment. Staff recommends allowing incidental sales as a natural adjunct to a business operation, retaining the Section 106-1218(a)(11) requirement of licensing and registering boats/trailers and farm equipment associated with a repair business to prevent the accumulation of junk boats/trailers and farm equipment, and not including associated boat equipment in Section 106-1218(a)(1) to prevent a boat repair operation from becoming a retail sales operation.

Discussion included concurrence with staff conclusions and recommendations, concern that allowing incidental retail sales may lead and have led gradually to commercial retail sales, concern that other businesses may ask for amendments to accommodate their unique desires that may lead gradually to larger consequences, cottage industry is not designed to be retail sales, the difficulty of code enforcement, and clarification on property owners living on or adjacent to the property where the cottage industry will occur.

Public Comment: None were received.

**Motion:** Mr. Zara made a motion, and Mr. Pottenger seconded, **to recommend approval of the Text Amendments to the Beaufort County Zoning & Development Standards Ordinance (ZDSO), Sec. 106-1218, Cottage Industry, to amend the special/limited use standards as follows:**

- a. **Reinsert Section 106-1218(a)(2), “Only incidental retail sales are permitted.”**
- b. **Retain Section 106-1218(a)(11) that requires the licensing and registering of boats/trailers and farm equipment associated with a repair business.**
- c. **Do not include in Section 106-1218(a)(1) the wording “and associated equipment” after the word boat.**

The motion **was carried unanimously** (FOR: Chmelik, Goode, Guyer, Herd, Johnson, Martin, Pottenger and Zara).

**OTHER BUSINESS -- Highway 170 Okatie Plan:** Discussion by the Commission included the history of the Plan, the community impasse after several community meetings with staff, Staff direction from the Commission to hear the community input, the Commission recommendation

for Staff to return to the community with a report prior to briefing the Commission, the non-Community Preservation District status of the community, concern regarding the non-sanctioned ad-hoc community group, and the proposed amendments being treated as any other ZDSO amendment that do not require pre-approval by the community.

**COUNTY COMMISSION ADJOURNMENT: Motion:** Mr. Martin made a motion, and Mr. Herd seconded, **to adjourn** tonight's County Commission meeting. The motion **was carried unanimously** (FOR: Chmelik, Goode, Guyer, Herd, Johnson, Martin, Pottenger and Zara). County Commission Chairman Hicks adjourned the meeting at approximately 8:25 pm.

**SUBMITTED BY:**

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Barbara Ann C. Childs, Admin. Assistant to Planning Director

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Jim Hicks, Chairman, Beaufort County Planning Commission

**APPROVED: July 6, 2004**