City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: **Bill Prokop, City Manager**

FROM: **Libby Anderson, Planning Director**

DATE: **July 22, 2015**

SUBJECT: **Revising the UDO to Permit Certain Retail and Restaurant Uses in the Limited Industrial District as Conditional Uses**

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The next phase of the Spanish Moss Trail is about to get underway. Once completed, the trail will run from south of West Vine Street in Port Royal, to Roseida Road in Burton, a distance of over six miles. As a result, there is renewed interest in allowing activities that support trail uses in the Depot Road area. Staff believes that permitting small, low-impact activities such as bike rentals and cafes will benefit trail usage without detracting from the existing uses in the industrial area or having a negative impact on surrounding residential property.

The area where Depot Road and Middleton Street intersect the Spanish Moss Trail is zoned Limited Industrial District (LI) (shaded purple on the attached map). The uses currently permitted in the LI District include Light Industrial Services, Manufacturing and Production, Warehousing, and Wholesale Sales (see attached Use Table). Staff is proposing to amend the Unified Development Ordinance (UDO) to allow "Other Retail Sales and Services" and "Restaurants without Drive-Thrus" as conditional uses in the LI zone. The definition of Other Retail Sales is attached.

Conditional uses are permitted by staff. The proposed conditions for permitting Other Retail Sales and Services and Restaurants Without Drive-Thrus in the LI District would be as follows:

- such use shall be located within 200' of the Spanish Moss Trail;
- the floor area for such use shall not be over 3,000 square feet;
- the hours of operation shall be limited to between 7:00 AM and 7:00 PM;
- no outside amplified music is permitted;
- no alcohol sales or consumption is permitted;
- any use that includes outdoor seating shall have a trash container available for disposal of goods consumed on the premises;
- full cut-off fixtures shall be used in any outdoor lighting; maximum height of light poles 12' if located within the setback area adjoining a residential use; 25' elsewhere on the site; and

- new construction and exterior changes to existing structure to accommodate such uses shall be subject to Section 6.6 of this UDO; and
- the following retail uses are not permitted: outside ATMs; stores specializing in the sale of electronic cigarettes; pet stores; sale or repair of firearms; kennels, animal hospitals, or veterinarians with outdoor runs; and medical marijuana sales if this becomes legal in the state.

An initial list of proposed conditions was sent to residents of the West End and Hermitage Road area neighborhoods, as well as property owners in the Depot Road industrial area. Staff also held a "focus group" meeting with neighborhood residents to solicit input on the proposed change. The above list of conditions is based on the input obtained from these public contacts.

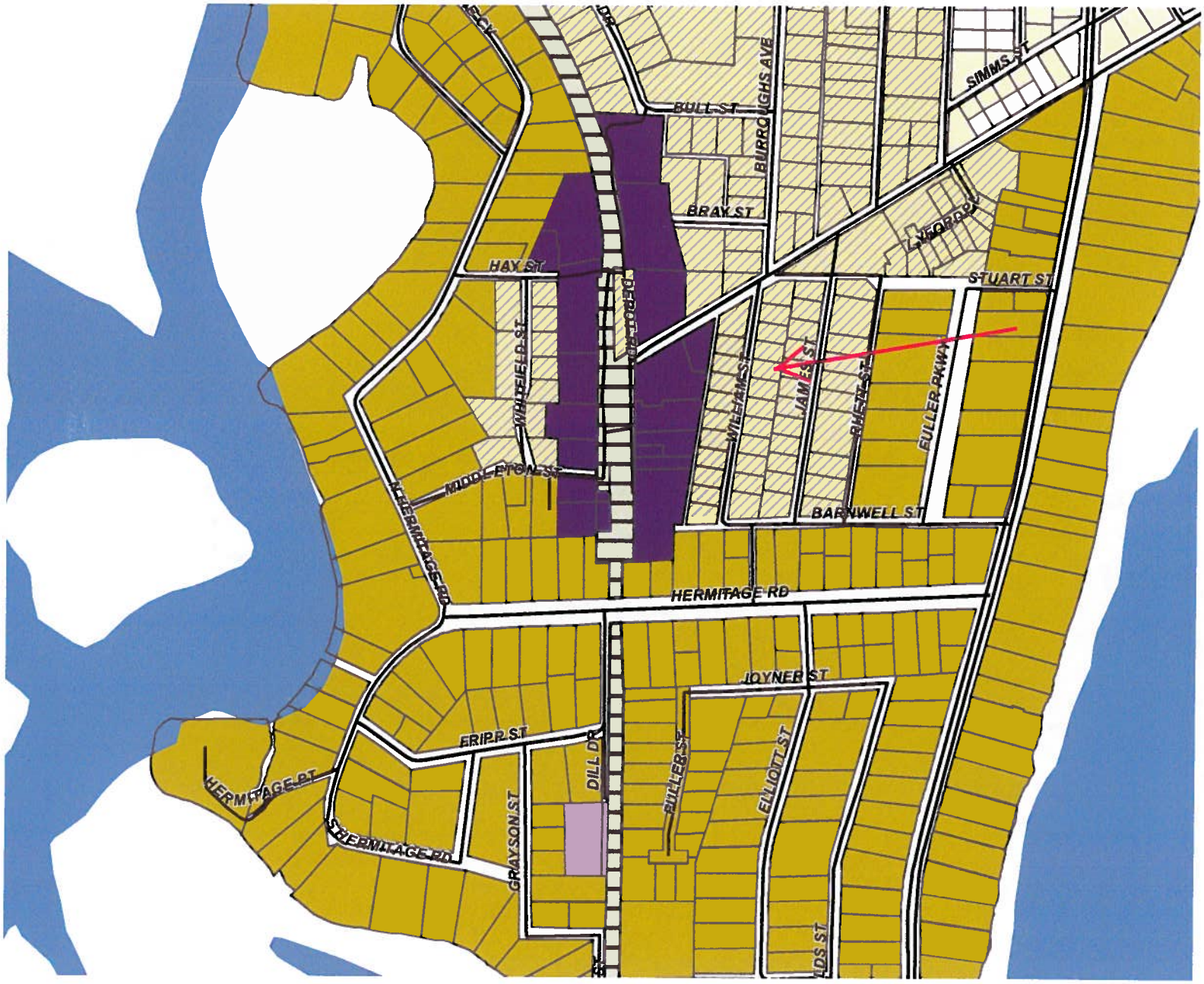
The proposed revision was scheduled to be presented to the Beaufort--Port Royal Metropolitan Planning Commission at their July 20 meeting; however, the meeting had to be cancelled due to a lack of a quorum. The Planning Commission's July meeting has been rescheduled to Wednesday, July 29.

Please contact me with any questions.

Thank you.

attachments

Excerpt From Zoning Map



Article 5. Use Regulations

5.1 Use Tables

A. Types of Use

All of the Use Categories listed in the Use Table are defined and described in the sections immediately following the Table.

1. Uses Permitted By Right

A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

2. Conditional Use

A "C" indicates a use that is allowed conditionally, provided that it meets the additional listed standards contained in Section 5.3, Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

3. Special Exception

An "S" indicates that a use is allowed only if reviewed and approved as a Special Exception, provided that it meets the listed standards contained in Section 5.3, Specific Use Standards. Special exceptions are subject to all other applicable regulations of this UDO.

4. Existing Building

An "E" indicates a use category that is allowed only in existing buildings, provided that it meets the additional listed standards contained in Section 5.3.

B. Uses Not Allowed

A blank cell in the Use Table indicates that a Use Category is not allowed in the respective district.

C. Uses Not Listed

The Administrator shall determine whether or not an unlisted use is part of an existing Use Category or is substantially similar to an already defined use, using the criteria in Section 5.2, Use Categories.

Article 4. Zoning Districts

4.1 Establishment of Districts

For the purpose of this UDO, portions of the City as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

BASE ZONING DISTRICTS	
Residential Zoning Districts	
TR	Transitional Residential
RE	Residential Estate
R-1	Low Density Single-Family Residential
R-2	Medium Density Single-Family Residential
R-3	Medium-High Density Single-Family Residential
R-4	High Density Single-Family Residential
GR	General Residential
TBR	Traditional Beaufort Residential
MHP	Manufactured Home Park
Commercial Zoning Districts	
NC	Neighborhood Commercial
OC	Office Commercial
CC	Core Commercial
GC	General Commercial
HC	Highway Commercial
Industrial Zoning Districts	
LI	Limited Industrial
IP	Industrial Park
Special Purpose Zoning Districts	
CP	Conservation Preservation
MED	Medical
PUD	Planned Unit Development
MR	Military Reservation
OVERLAY ZONING DISTRICTS	
AICUZ	Air Installation Compatibility Use Zone
-D	Development Design
-H	Historic

4.2 Official Zoning Map

A. The boundaries of the above zoning districts are a map or series of maps entitled "Official Zoning Map, City of Beaufort" which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this UDO. Special purpose zoning districts intended to serve as floating districts are not established on the zoning map until a specific district is proposed and approved by the City.

B. Each map bearing the designation "Official Zoning Map, City of Beaufort" shall be identified by the signature of the Administrator, and bearing the seal of the City under the words: "Official Zoning Map, City of Beaufort, South Carolina," together with the date of the adoption of the map.

		Residential								Nonresidential						Special Purpose		
Use Category	Specific Use	TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP
P = Permitted By Right E = In Existing Building Only C = Conditional Use S = Special Exception Use																		
RESIDENTIAL (See Section 5.2D)																		
Household Living	Single-Family, Detached	P	P	P	P	P	P	P		C	C	E	E	E	E	E		
	Zero Lot Line				C	C	C			C	C							
	Village House				C	C	C			C	C							
	Cluster Development	C	C	C	C	C	C			C	C							
	Two-Family Dwelling						P	P		C	C	E						
	Three-Family Dwelling						P	P		C	C	P	P	P				
	Townhouse Dwelling						P			P	C							
	Residential, Upper Story									P	P	P	P	P				
	Manufactured Housing Park or Subdivision								P									
	Multifamily Dwelling						P			P	P	P	P	P				
	Live-Aboard Boat																C	
	Accessory Dwelling	C	C	C	C	C	C	C		C	C							
	Home Occupation 1	P	P	P	P	P	P	P		P	P	P						
	Home Occupation 2	P	S	S	S	S	S	S		P	P	P						
	Group Dwelling						S			P		P	P	P				
PUBLIC, CIVIC, INSTITUTIONAL (See Section 5.2E)																		
Community Service		S		S	S	S	S	S		P	P	P	P	P	S		P	
Daycare								C		P	P		P	P		P		
Educational Facilities	College/University										P		P	P				
	School, Public/Private		C	C	C	C	C	C		P	C		P	P				
	School, Trade/Vocational										C		P	P	P			
Government Facilities										P	P	P	P	P	P	P		P
Health Care Facilities											P		P	P		P		

		Residential								Nonresidential						Special Purpose		
Use Category	Specific Use	TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP
Institutions											S		P	P				
Parks and Open Space	Cemetery													C			C	
	Park, Community/Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Passenger Terminals													P	P	P			P
Religious Institution		C	C	C	C	C	C	C		P	P	P	P	P			E	
Utilities	Major Utility													S	P			P
	Minor Utility		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Public Utility Substation		C	C	C	C	C	C		C	C	C	C	C	C	C	C	P
COMMERCIAL (see Section 5.2F)																		
Eating Establishments	Restaurant, w/ Drive-thru													C				
	Restaurant, w/o Drive-thru									C	C	P	P	C		P		
	Restaurant, w/o Seating									C		P	P	P				
	Restaurant, w/outdoor cooking									S		S	S					
	Restaurant, Drive-in													S				
Entertainment	Indoor Entertainment	C	C	C	C	C	C			C		P	P	P	S			
	Outdoor Entertainment	C	C	C	C	C	C							S				
	Sexually-Oriented Business														C			
Office	Medical Office/Clinic									C	P	P	P	P		P		
	Other Offices									C	P	P	P	P	P	P		P

		Residential								Nonresidential						Special Purpose		
Use Category	Specific Use	TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP
Overnight Guest Accommodation	Bed and Breakfast						S	S		P	P	P	E					
	Inn (up to 24 units)									P	P	P	P	P				
	Motel/Hotel/Extended Stay											P	P	P				
	Housing, Short Term Rental	S	S	S	S	S	S	S		C	C	C	C	C		C		
	Recreational Vehicle Park													S				
Parking, Commercial										C	P	P	C	P	P	P		P
Retail Sales and Service	Animal Hospital/Kennel												C	C	P			
	Bakery									C		C	C	C	P			
	Banquet Facility									P	C	P	P	P				
	Body Piercing Facility														C			
	Drug Store/Pharmacy									C		C	P	P		P		
	Tattoo Facility														C			
	Other Retail Sales and Services									C		C	P	P				
Self-Service Storage	Single-Story														P			
	Multi-Story													C	P			
Vehicle Sales and Service	Vehicle Service and Repair													C	P			
	Car Wash												C	C	P			
	Fuel Sales												S	C	C			
	Vehicle Service, Limited												C	P	P			
	Boat Sales and Service												C	P				
	Other Vehicle Sales and Service													C	P			
INDUSTRIAL (See Section 5.2G)																		
Aviation Services															P			P
Light Industrial Services														S	P			P
Manufacturing and Production															C			P

		Residential								Nonresidential						Special Purpose		
Use Category	Specific Use	TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP
Truck Terminal															C			P
Warehousing														S	C			P
Waste-Related Service															S			S
Wholesale Sales														C	C			P
OTHER (See Section 5.2H)																		
Agriculture	Agriculture/Horticulture	P																
	Silviculture, Tree Farm												C	C	C			P
Water Oriented Facilities										P	P	P	P	P			P	
Telecommunication Towers														C	C			C

6. Overnight Guest Accommodations

a. Characteristics
Dwelling units arranged for short term stays of less than 30 days for rent, lease or interval occupancy.

b. Accessory Uses
Accessory uses may include pools and other recreational facilities, limited storage and offices.

c. Examples
Examples include bed and breakfast establishments; hotels; motels; inns; and interval occupancy facilities. Also includes central reception and check-in facilities for resorts and interval occupancy facilities.

7. Retail Sales and Service

a. Characteristics
Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

b. Accessory Uses
Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

c. Examples
Examples include uses from the four following groups:

(1) Sales-Oriented. Stores selling, leasing, or renting consumer, home and business goods including art; art supplies; bicycles; books; candy; cigars; clothing; dry goods; antiques; hobby supplies; toys; drugs/pharmacy; electronic equipment; fabric; florist; furniture; garden supplies; gifts; groceries; hardware; hats; health food store; home improvements; household products; jewelry and watch; liquor; magazines; music; newspapers; pets; pet food; photographic supply/cameras; plants; produce; stationary; shoes and videos; and food sales.

(2) Personal Service-Oriented. Banks and savings and loan; emergency medical care offices; bakery; barber shop and beauty shop; catering establishments; locksmith/gunsmith; seamstress; tailor; funeral home; mortuary; laundromats; laundry and dry-cleaning drop-off establishments; photographic studios; photocopy, quick-print, and blueprint services; tanning and personal care services; martial arts facilities; acting, art, dance or music classes; secretarial/answering service; shoe repair; taxidermists; animal hospital, kennels and veterinarians.

(3) Repair-Oriented. Repair of TV's; bicycles; clocks; watches; shoes; guns; canvas products; appliances and office equipment; photo or laundry drop-off; tailor; locksmith; and upholsterer.

d. Exceptions

(1) Restaurants are classified as Eating Establishments.

(2) Laundry and dry-cleaning plants are considered Light Industrial Services.

(3) Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.

(4) Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Service.

8. Self-Service Storage

a. Characteristics

Self-service storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.

b. Accessory Uses

(1) Accessory uses may include living quarters for a resident manager or security and leasing offices and outside storage of boats and campers.

(2) Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use.

(3) The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.

c. Examples

Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses. Such facilities may be single or multi-story.

d. Exceptions

A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.

9. Vehicle Sales and Service

a. Characteristics

Vehicle Sales and Service uses provide direct services to motor vehicles. They also may include firms that service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles.

b. Accessory Uses

Accessory uses may include offices, sales of parts and vehicle storage.

c. Examples

Examples include full-service, mini-service and self-service gas stations; car washes; vehicle repair, transmission or muffler shop; towing service; auto body shop; alignment shop; auto upholstery shop; auto detailing; tire sales and mounting; sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles; taxi dispatching; and limousine services.

PUBLIC COMMENTS SUBMITTED TO THE PLANNING DEPARTMENT

Friends of the
SPANISH MOSS TRAIL

The Board of Directors of the Friends of the Spanish Moss Trail has reviewed the proposed change in zoning for the area immediately surrounding the Spanish Moss Trail Depot Road Trailhead. The Board supports this change in zoning for the following reasons:

- It is the most intensely developed urban area along the entire Trail in Beaufort. It is a logical place to locate those small businesses which will benefit Trail users and those which will benefit from the Trail. Experience with similar Trails in other locations has shown that they attract small businesses such as bike shops, coffee shops and sandwich/ice cream shops. This is the most logical place to put them.

- The redevelopment of this area from an industrial zone to a mixed-use zone will be good for the surrounding neighborhood and the City. It is consistent with the adopted City Master Plan. It is a logical visitor location connected directly to downtown.

- The Depot Road Trailhead, which is the central and primary trailhead along the Trail, will benefit from having this area as a center of activity. Improving its looks and ambience will make it a destination from both Trail directions and this will inevitably increase Trail usage both from residents and visitors.

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Libby Anderson

From: JH <waiting4444godot@gmail.com>
Sent: Monday, July 20, 2015 11:28 AM
To: Libby Anderson
Subject: Re: Ordinance Amendment Revising Uses Permitted in the Limited Industrial District

Hello, Libby.

Please submit my official public comment to The Metropolitan Planning Commission today, re: the ordinance amendment to revise the uses permitted in the Limited Industrial District in the Depot Road area. Thank you. J.

To The Metropolitan Planning Commission:

Hello. I'm Judith Warrington, the owner of a commercial building at 1105 Middleton St., near The Spanish Moss Trail-Head, and I whole-heartedly support a change being made, to permit low-impact retail and food services that would support the users of The Spanish Moss Trail.

I feel this change would benefit everyone who uses the Rails-To-Trails trail, as well as the surrounding, existing businesses and residential areas. It would be convenient and pleasant, to be able to enjoy a break at a small cafe, or to have a repair done to your bicycle as needed, right there along the trail. Day-workers at existing businesses, as well as residents in the nearby residential neighborhoods, would benefit from these convenient services too.

I've had numerous trail-users wander over to my building, tourists especially, who inquire as to whether there's anywhere to have lunch along the trail, and I've always had to say NO. It would be nice to finally be able to say YES. And trail-users would love it!

The Trail is a wonderful resource for Beaufort, and it has been a huge success. I can just imagine that it will continue to grow and be enjoyed for many more years to come. Adding user-friendly-services along the trail is a great idea.

I currently have a prospective tenant who wishes to rent space in my building at 1105 Middleton St., to offer bike-rental services and basic refreshments to trail-users, and I'm looking forward to working with this young man and his family, to make their dream a reality. We're all hopeful that the Commission will see the value of offering these types of services along the trail, and approve the changes needed to make it happen.

Thank you.

Judith Warrington
Owner of 1105 Middleton St. commercial building.

Libby Anderson

From: Lee Shaffer <ideas@islc.net>
Sent: Monday, July 20, 2015 11:09 AM
To: Libby Anderson
Subject: Depot area amendments

Hi, Libby --

Thanks for the updates. I know this is later than the deadline time, but here are my "takes" on what I see now:

p. 5-10

7.c. Four examples? I see three.

(1) Hope arcades are not considered toys

Tobacco-free area (no cigar sales or smoking)

That's it!

Thanks.

Lee Shaffer