

**BEAUFORT–PORT ROYAL  
METROPOLITAN PLANNING COMMISSION**

**AGENDA**

1911 Boundary Street, Beaufort, SC 29902  
Phone: 843-525-7011 ~ Fax: 843-986-5606

**Monday, February 17, 2014 5:30 P.M.**

**City Hall Council Chambers, 1911 Boundary Street, Beaufort, SC**

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**STATEMENT OF MEDIA NOTIFICATION:** "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place and agenda of this meeting."

**The commission may alter the order of items on the agenda to address those of most interest to the public in attendance first. Also, in an effort to ensure that all interested persons are given the opportunity to speak on every case, a two (2) minute time limit on public comment will be in effect. Individuals wishing to speak during the hearing will be asked to sign up in advance, and will be recognized by the Chairman during the public comment section of the hearing.**

**I. Call to Order:**

**II. Pledge of Allegiance:**

**III. Review Commission Meeting Minutes:**

**A. Minutes of the December 16, 2013 Meeting.**

**B. Minutes of the January 13, 2014 Meeting.**

**IV. Review of Projects for the Town of Port Royal:**

**A. No projects.**

**V. Review of Projects for the City of Beaufort:**

**A. City of Beaufort – Rezoning. Rezoning two parcels of property located at 1011 and 1015 Bay Street, identified as District 121/120, Tax Map 4, Parcels 848 and 846, from Office Commercial District to Core Commercial District. Also, rezoning two parcels of property located at 310 and 314 Charles Street, identified as District 121, Tax Map 4, Parcels 847 and 847B, from Office Commercial District to Neighborhood Commercial District. Applicant: City of Beaufort.**

**B. City of Beaufort – Update on Council Actions.**

**VI. Review of Projects for the County of Beaufort:**

**A. No projects.**

**VII. Adjournment**

**Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011 for additional information.**

A meeting of the **Beaufort-Port Royal Metropolitan Planning Commission** was held on December 16, 2013 at 5:30 p.m. in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners James Crower, Robert Semmler, Jennifer Bihl, Bill Harris, City Planner Libby Anderson and Town Planner Linda Bridges.

Alice Howard was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

### **CALL TO ORDER**

Chairman DeVito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

### **MINUTES**

Commissioner Semmler made a correction to the minutes, asking that the phrase on page 4, paragraph 4, "a 'fantastic AAA road map'" conclude with "that you can deviate from."

**Commissioner Semmler made a motion, second by Commissioner Crower, to accept the minutes of November 18, 2013 as amended. The motion passed unanimously.**

### **REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT**

#### **City of Beaufort – Rezoning Request**

Rezoning five parcels of property located at 1001, 1005, and 1009 Craven Street, 412 Charles Street, and 415 Newcastle Street. The existing zoning is Office Commercial District. The proposed zoning is Neighborhood Commercial District.

*Applicant: City of Beaufort*

Ms. Anderson said the applicant for this request is the city's Zoning Department. There are five lots in this neighborhood in the Bluff. 412 Charles Street is owned by Harvey and Battey and is used as a parking lot, and **Kevin and Elizabeth Robinson** own 1005 Craven Street. Ms. Anderson went on to describe the other lots and who owns them. They are all zoned Office Commercial and all types of office and residential are permitted but no commercial uses. They are proposed to be rezoned to Neighborhood Commercial. Neighborhood Commercial permits everything in Office Commercial plus retail uses, including restaurants, except for drive-throughs. The ordinance says that new construction can only be 2500 square feet for retail uses.

Staff feels the zoning is consistent with the Comprehensive Plan, Ms. Anderson said. Surrounding land uses going up Charles are a parking lot used during church hours for Street. Helena, single family dwellings, a short-term rental, and an accessory dwelling to a B&B. Across Craven Street, there is the Sea Island Motel and a vacant lot; back on West Street, there is a short-term rental, a vacant lot, a retail store, and a parking lot. There is also a 4-family multi-

family dwelling across from Harvey and Battey. There is formalized on-street parking in unmetered spaces.

Public notice was made within 400' of the properties, Ms. Anderson said, and there have been no public comments made.

Commissioner Crower said last month there was concern about spot zoning, and this month there are 5 spots with the back half along North Street that will be isolated. He said it cuts those two blocks off of Craven Street. Commissioner Harris said he understands why the single family is there, but the Sea Island Motel and short-term rental, with the vacant lot, "are all kind of lumped together on the other maps," and he asked why they didn't bring that down and capture those. Ms. Anderson said those will be proposed to be Core Commercial District as part of another, larger rezoning next month. There "will be more flexibility in terms of use," she said. They didn't ask to be rezoned, so she felt it should be kept simple for now. Chairman DeVito asked if the other properties added to the rezoning had asked for it, and Ms. Anderson said no, but she had sent them information and asked if they would like to request to be rezoned. When she told them they were proposed to be rezoned, she didn't hear from them. The Robinsons started the request, and she talked to a Rhett House Inn representative, and someone from Harvey & Battey, too.

Commissioner Semmler said they had this same conversation last month. Chairman DeVito said they could move this now and say that they would talk to the single-family owners before it goes to council. Commissioner Semmler clarified that the homeowner who wanted to put retail into his home had gotten the ball rolling for the other properties, and Ms. Anderson said yes. Commissioner Semmler said the Conservation Preservation zoning area is where the church is. He asked why their parking lot isn't Conservation Preservation. He said it looks like they're "doing it piecemeal." Commissioner Semmler said it's not illegal, and the owners haven't said no to it, and he agrees that they shouldn't hold it up for another 30 days.

Chairman DeVito said they should decide one way or the other, and he thinks they should hope the properties on Charles and North Streets would be brought in. Commissioner Semmler said the homes south of these properties shouldn't be pressured into rezoning if they want to stay as they are. Ms. Anderson said she could query them and see what their interest is.

**Commissioner Crower made a motion that these 5 parcels be rezoned to Neighborhood Commercial as proposed. Commissioner Semmler seconded. The motion passed unanimously.**

## **CITY OF BEAUFORT – ANNEXATION AND REZONING REQUEST**

Annexing and zoning three parcels of property located at 1708, 1712, and 1714 Greenlawn Drive, identified as District 100, Tax Map 1, Parcels 5B, 5D, and 5E respectively. The existing zoning is Suburban District. The proposed zoning is Boundary Street Redevelopment District.  
*Applicant: 303 Associates*

Ms. Anderson said a petition for annexation on Greenlawn Drive triggered this rezoning request. There are two single-family dwellings and a vacant lot, all owned by the same owner. In the county, the zoning is Suburban District; proposed zoning is Boundary Street Redevelopment District.

This zoning would be consistent with the Civic Master Plan and the Comprehensive Plan, Ms. Anderson said. Staff's opinion is that this rezoning is consistent with the Civic Master Plan. There were all single-family dwellings along this street in the past. One lot is undeveloped. The undeveloped lot will be incorporated and developed. Letters of public notification were sent and no comment received. Staff recommends approval. There was no representative present from 303 Associates.

**Angie Childers**, Executive Director of Beaufort Housing Authority, asked, if they don't know a specific use for the properties, why they would rezone them at this time. She understands that there is to be development of a 56-unit low-income community. The Housing Authority has an easement, and they want to make sure they will have access to it. Chairman DeVito said this commission can't answer that question. They can only determine appropriate zoning. She asked what could be achieved by rezoning that the developer couldn't achieve with current zoning. Chairman DeVito said the property is in the county now, and he couldn't build to the Boundary Street Master Plan with the current zoning. But the Metropolitan Planning Commission is only concerned with zoning. Ms. Childers said until there's a firm plan, she supports not rezoning it. Chairman DeVito said that the Metropolitan Planning Commission only approves underlying zoning, and many rezonings have no plan associated with them for annexation or zoning. Commissioner Crowder said they "generally like to take a longer view than what is being planned in the moment." Chairman DeVito recommended that Ms. Childers talk with Ms. Anderson.

**Reed Armstrong**, Coastal Conservation League, said the county has a transfer of development rights (TDR) program to decrease pressures around the Marine Corps Air Station. Any upzonings require a payment into the TDR Bank. The city doesn't have such a TDR ordinance, but if this were to remain in the county, the upzoning would require that they purchase development rights. He suggested the city should address this and come up with an ordinance similar to the TDR ordinance at the county level.

Chairman DeVito asked if anyone had been around since the initial annexations of Greenlawn. He said they have been slow coming, and the donut holes need to be filled in. Commissioner

Semmler asked how many parcels are still in the county. Ms. Anderson showed a map of which ones are still in the county and said the cemetery is in the city. Commissioner Semmler asked if the tax base changed if they change from county to city. Ms. Anderson said for the police and fire district yes, but “not from the county perspective.” Commissioner Semmler said he recalled that no one would be pressured; it would happen as they were available, moved, or were sold. Ms. Anderson said these are all voluntary.

**Commissioner Semmler made a motion to recommend approval of the annexation of properties from the county to the city. Commissioner Crower seconded the motion. The motion passed unanimously.**

**Commissioner Semmler made a motion to rezone the same 3 parcels as Boundary Street Redevelopment District. Commissioner Harris seconded. The motion passed unanimously.**

**CITY OF BEAUFORT – UDO AMENDMENT REVISING SECTION 6.8.H OF THE UNIFIED DEVELOPMENT ORDINANCE, “BOUNDARY STREET REDEVELOPMENT DISTRICT; GENERAL DESIGN STANDARDS,” TO REVISE BUILDING HEIGHT/ELEVATION REQUIREMENTS**

*Applicant: City of Beaufort Planning Department*

Ms. Anderson said this is an amendment to the UDO and pertains to the Boundary Street Redevelopment District. There are two areas where they would like to make adjustments because someone would like to do some redevelopment. When the new form-based code is started, there will be areas that they realize will need to be improved. The first is for the minimum height of the first floor, also known as “the floor to ceiling height.” They would link it to the type of street: lower on a street like Craven, higher on a street like Bay.

Ms. Anderson showed the reformatted ordinance. They are proposing on Boundary Street, Ribaut Road, and Highway 170 to keep the minimum floor to ceiling height the same because they are commercial and high-density. On other streets, the parallel road, Greenlawn Drive-type streets, they would reduce the minimum by a foot, from 10’ to 9’. No change on Boundary Street, Ribaut Road, and Robert Smalls Parkway: Commercial 12’ and residential 10’. On all other streets, commercial 11’ and residential 9’.

The other part pertains to elevation above grade. There’s currently a blanket elevation of 3’ above grade. They are proposing to change the minimum elevation from 3’ to 2’, e.g., Bladen Street. It would allow more flexibility in porch design, and they wouldn’t have to have railings. Commercial structures and mixed use with commercial on the ground floor don’t have to be elevated, but in residential, they need elevation for privacy and urban design. They are proposing a reduction for multi-family structures to 18” from 3’. In paragraph D, for other types of residential, it will be reduced from 3’ or 2’ for single-family, 2-family, and 3-family.

Commissioner Crower asked the difference between town houses and multi-family. Ms. Anderson said houses in Habersham are single-family attached, and the Town of Port Royal has some townhomes. There's a build-to line right to the sidewalk, so they need to be elevated, so they can have a little privacy; therefore, they kept the elevation at 3'. With single-family and multi-family, there's more flexibility on where they are on the lot, so they kept that elevation. Ms. Anderson said a multi-family is a type of apartment building like The Preserve. Chairman DeVito described some townhomes in the Town of Port Royal. Commissioner Harris said what they are changing to is an improvement. These are "safe numbers that make it easier to do good things. "Ms. Anderson said it's less "one size fits all" this way.

**Commissioner Harris made a motion to approve the amendments as submitted.  
Commissioner Bihl seconded. The motion passed unanimously.**

#### **CITY OF BEAUFORT – UPDATE ON COUNCIL ACTIONS**

Ms. Anderson said the sandwich board second reading was done, and staff is working to bring some sign owners into compliance. The council had a work session December 10 and will have a public hearing on January 14, 2014 and possibly a first reading as well.

#### **REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL**

##### **TOWN OF PORT ROYAL – TEXT AMENDMENT – REPLACE EXISTING ZONING AND OVERLAY CHAPTERS WITH THE PORT ROYAL CODE AND ZONING MAP CHANGE – REZONE ALL PARCELS IN THE TOWN OF PORT ROYAL**

Ms. Bridges said she and Brian Herrmann (via Skype) were here to talk about the code for the Town of Port Royal. The review group forwarded the document to be reviewed, and then they went to a formal meeting where they presented the code to the Metropolitan Planning Commission, and they are tonight going to talk about it once more. There have been clarifications and comments. One comment was for Mr. Herrmann, the consultant, to look at gas stations again in the code.

Ms. Bridges put up a map and said in the Mossy Oaks area at the north end of Ribaut Road, they are proposing to extend the T-4 Neighborhood Commercial to T-4 Neighborhood Commercial Open. The gas stations that are there will be made compliant and give incentive for redevelopment in that area. This would extend to Lady's Island Drive, she said. They had to pick up an errant parcel as well. On Map 2, on the west side of town, they extended the T-4 Neighborhood Commercial open to bring another gas station into compliance, and extended a bit of T-4 Neighborhood Commercial Open in another spot. This takes care of gas stations and convenience stores. That's the only comment they have had to this point.

Chairman DeVito said he had found this easy to go through to this point and easy to understand. JC asked Ms. Bridges if there were still gas stations that wouldn't be in compliance. Ms. Bridges said that there is one in T-5, and they haven't done anything to that on the corner

of Ribaut Road and Benet. One new one is coming in that is now in review and it will also be T-5.

**JC moved that they recommend approval of the Port Royal code to replace the current code. RS seconded. The motion passed unanimously.** The commissioners praised Ms. Bridges and Mr. Herrmann. This was followed by light audience applause.

The zoning map, JD said, needs to be adopted separately. **RS made a motion, second by JC, to adopt the zoning map change. The motion passed unanimously.**

#### **UPDATE ON COUNCIL ACTIONS**

Ms. Bridges thanked the commissioners for their work and approval of the code. Town council met this month and approved a rezoning that the Metropolitan Planning Commission had recommended on Robert Smalls Parkway; 3 acres there will be rezoned from MU1 to Highway Commercial.

BH said the City of Beaufort form-based code committee hadn't met again yet. JC thanked all of the committee working on the Town of Port Royal code who made it easier for the Metropolitan Planning Commission.

**There being no further business to come before the commission, JC made a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 6:26 p.m.**

A meeting of the **Beaufort-Port Royal Metropolitan Planning Commission** was held on January 13, 2014 at 5:30 p.m. in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners James Crower, Robert Semmler, Alice Howard, Bill Harris, and City Planner Libby Anderson.

Jennifer Bihl was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

### **CALL TO ORDER**

Chairman DeVito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

### **MINUTES**

**Commissioner Crower made a motion, second by Commissioner Harris, to defer the approval of the minutes of December 16, 2013 meeting, owing to a clerical omission. The motion passed unanimously.**

### **REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT**

#### **CITY OF BEAUFORT – REZONING**

Rezoning 10 parcels of property in or near the Waterfront Park Marina Parking Lot to Neighborhood Commercial District and Core Commercial District. The existing zoning is Conservation Preservation District and Office Commercial District.

*Applicant: City of Beaufort*

Ms. Anderson showed a graphic of the lots proposed for rezoning, which are all near the waterfront. Chairman DeVito asked for clarification of which parcels were city-owned. Secession and Freedom Parks, the parking lot, and the marina are the city's, Ms. Anderson said.

These parcels are in the Bluff Neighborhood of the Historic District, Ms. Anderson said. The waterfront lots are currently Conservation Preservation (CP) District: part of the promenade, Freedom Park, and the Marina parking lot. Secession Park on Craven, Bay, and Church Streets is also CP.

Ms. Anderson reviewed the uses that are permitted in CP zoning. Larger parks in the city are zoned CP. About a third of the parks and open spaces in the city are zoned CP, and, Ms. Anderson said, "There seems to be no rhyme or reason to it." Six lots are zoned Office Commercial (OC) district, where all types of offices are permitted as well as all types of residential uses. Two lots in that zoning are non-conforming uses for OC: the Best Western Inn and Wells Fargo Bank.

The 5 lots that are proposed to be zoned Neighborhood Commercial (NC) permit B&Bs and inns; no motels or drive-thru are permitted, except for banks. The NC designation is "like OC plus," Ms. Anderson said. There are size restrictions in NC, unless there is a residence above it.

Half the lots would be rezoned NC, and the other 5 would be Core Commercial (CC), which would be an expansion of what Bay Street is already zoned as. No drive thru are allowed except for banks. Most types of retail and commercial uses are not required to have on-site parking except for hotels. CC doesn't permit new single-family dwellings or town houses, though residences above businesses are okay.

The parking lot and Freedom Park would be CC; Secession Park would be NC. The parks are very small, Ms. Anderson said, and the development of the area should mean that they will not experience a large impact. Parks under 5 acres will not be Park zoning or T-1 but will be the same designation as the surrounding neighborhood in the new code, Ms. Anderson said.

Ms. Anderson showed the 2008 Preservation Plan, which recommended CC for this area. This has been carried through to the Civic Master Plan and is further carried into the redevelopment of the Marina parking lot. The blocks between Charles and Newcastle Streets are not proposed to be completely CC. The Elliott House is already CC. 308 Charles is already NC, and the property owners in the area would prefer to stay NC for the residential options it offers. Early maps show the intersection being in a more NC zoning than a CC, so those two lots she referred to would be recommended for NC, not CC as originally proposed.

Ms. Anderson said the 2008 Preservation Plan recommended NC around the Elliott House area, and NC "might be more user-friendly and less intense." Surrounding land uses include the Waterfront Park parking lot, Bay Street, which is restaurants and retail, and other uses, including inns and single-family dwellings; the more intense commercial zoning is to the east.

Ms. Anderson said the rezoning of the Waterfront Park parking lot is recommended in the Civic Master Plan, and council has a memorandum of understanding with the Historic Marina Partners for that property to be developed with a restriction on the Freedom Park lot. The area north of Bay Street's rezoning is driven to make two non-conforming uses – Wells Fargo and the Best Western Inn - conforming.

Public notification was made to property owners within 400'. Ms. Anderson said the letters received in response have been forwarded to the Metropolitan Planning Commission. She had received calls about the rezoning of private lots, which she indicated on the map. The owners of at least 2 of those 3 lots would like to be rezoned CC as proposed in the Preservation Plan, rather than NC, which is what originally was to be proposed by the City of Beaufort. She hasn't heard from the owner of the third lot. Ms. Anderson said staff feels either plan would be workable.

In regard to the concerns about the parks, Ms. Anderson said they could consider an alternative zoning plan. The 2 parks with restrictions would stay CP; they could change the Anchorage, the vacant lot, and the office lot back to CC as recommended in the Preservation Plan and the Civic Master Plan. Wells Fargo and the Best Western Inn would be rezoned CC.

Commissioner Semmler asked if there was “a third choice to leave it the way it is.” Ms. Anderson replied “possibly.” The development for the parking lot as proposed in the Civic Master Plan, however, would not be possible with the current zoning. Ms. Anderson showed the marina parking lot proposal, which can’t be developed without a rezoning. The lots north of Bay, she reiterated, had been added to this rezoning request because doing so has been discussed since 2008.

Commissioner Harris said there was a memorandum of understanding with the Historic Marina Partners and asked if it was “a legal understanding.” Ms. Anderson said Freedom Park is called out for its restrictions; the city has a memo of agreement with the Open Land Trust. Commissioner Howard asked if that agreement with the Open Land Trust is recorded. **Patty Kennedy** said she doesn’t know.

Commissioner Crower said he had a problem with rezoning private parcels along with the public parcels, and he asked if the owners of those parcels are aware that they are part of the request. Ms. Anderson said they have been notified about this. Chairman DeVito said he would open this matter up to the parcel owners for their statements – as if *they* were applicants – and then invite comments from the general public. Commissioner Howard asked for the current zoning map to be shown again in regard to current uses.

Chairman DeVito asked for property owners or representatives for the property owners to speak. **Marvin Dukes** said he was one of four partners in the law firm that owns 1105 Bay Street, the NC vacant lot that was a law office that burned down. Other partners in the firm were also present, he said. He asked the commission to recommend the original request for rezoning their property CC. The NC zoning that was proposed would have a 2500 square foot footprint. Their property “doesn’t lend itself to a single-family residence” and “is a CC-shaped property,” he said.

**David Taub**, a former Beaufort mayor, asked the MPC not to approve the portion of this proposal that deals with the parking lot and the downtown marina. Procedurally, the “horse is before the cart,” (*sic*) he said, because there is no plan for what goes in that area. Decisions about “the two most important issues that should have been vetted with the public have already been made,” he said, “without citizen input”: whether the parking lot should be developed and who should do the development. He said citizen input was not provided in either case. Mr. Taub said that “once the zoning is changed, it permits by-right anything on the list” of possible uses, which he said no reasonable person would want in the Waterfront Park

parking lot. He said, "If they say it's ok, it *will* happen ... It will be permitted and nothing can stop it." If the development doesn't happen, but the zoning is changed, anything in that zoning is permissible, and it can happen. Mr. Taub said he was only speaking to the parking lot specifically, and he asked the commission not to recommend it to council.

Ms. Kennedy, Executive Director of the Beaufort Open Land Trust, said she agrees with Mr. Taub, and she's speaking against the Marina Redevelopment and the rezoning of Freedom Park. She said many generations have passed since the original zoning for many of these lots. In regard to pocket parks, she said there should be a very clear zoning for *all* parks. Ms. Kennedy said, "There are a lot of moving parts and no reason to rezone now." She asked the commission for denial until all the details can be worked through, or at a minimum to do the alternate zoning and pull out Freedom Park.

**Maxine Lutz**, ED for the Historic Beaufort Foundation, said the organization concurs that they should delay the zoning change. Council has not approved the Civic Master Plan and consideration of the zoning change should be delayed until then; and until specific uses of the parcels are approved; and until conceptual plans for the parking lot are seen; and "the vetting by the public is put in place." The public hasn't had sufficient opportunity to respond to the proposed zoning change, Ms. Lutz said. The city's parking problems need to have a plan to solve them prior to any approval. Until there's a parking solution, she suggested they "hesitate to rezone." The marina parking lot rezoning including Freedom Park needs to be resolved before they go ahead, Ms. Lutz reiterated. There are legal attachments to Freedom Park and Secession Park that may affect the city's ownership of the parks. There was a stipulation that the parking lot not be developed when the city was given the rights to develop the Waterfront Park. She also said there has been no public process. Ms. Lutz said Keyserling Enterprises owns one of the parcels, and **Billy Keyserling's** interests should be examined.

**George Trask** lives in the next block from those properties that are being proposed for rezoning. The Anchorage was a piece of property like where he lives, he said. He told a story about his childhood in Beaufort and how a piece of property was sold and transformed. He said his family has been responsible for a lot of historic destruction. He wants to see the city prospering, but the city has one of the most beautiful parks in the country. One of the places that were like Beaufort was Mt. Pleasant in the 1930s-1950s. He had given a copy of his statement to the Metropolitan Planning Commission, he said, and had attached an editorial about how "Mt. Pleasant was destroyed by the changes of a similar process to what's happening to Beaufort." He said the citizens need to decide if they want to be a small town or a city.

Mr. Trask said he hasn't come forward until now for family reasons, and he's now part of the process because he's very concerned about where the city is going. He will ask a lot of citizens to be a part of "a committee that will be a part of the redevelopment ... and create a plan for

the twenty-first century” that they will bring to the city. They need time to do that, and the Metropolitan Planning Commission can do that for them so that “clearer heads can take a look at this for them.” Mr. Trask added, “A lot of this is political.” He said the 5 members of council run the city, and he wants them to know that “their jobs are in jeopardy.”

**Lin Johnson**, 1113 Craven Street, said his house is known as Secession House, and the front yard is “essentially Secession Park.” He read the letter that he had sent to the Metropolitan Planning Commission. The city owned half of Secession Park, and **Mary Barnwell** owned the other part. The lease and deed both have restrictions that limit the park to being a passive park. If the city doesn’t maintain it that way, it reverts to the Rodgerses and their heirs. Since it’s been a passive park for so long, he doesn’t understand why it is proposed to be rezoned from CP.

**Kathy Lindsay** said she wanted to learn more about the issue and feels there hasn’t been enough public input. She feels they “need to have more time to digest it.” She wants to know why they would want to take CP protection off the entire marina, “showing it with no open space whatsoever.” Ten days notice was not enough time to digest this, she said.

**Edie Rodgers** said that people have already addressed the “procedural violations” of some parts of this proposed plan. She said there are real consequences to what they are doing, and “any succeeding council will be able to change what they are going to do.” She feels “this whole thing is a train out of control,” and they need to slow down and be sure of what they are doing. Ms. Rodgers fears “continued creep by a subsequent council” if people aren’t sticking with the zoning in these areas. She asked if the corner by the water’s edge was the area between the parking lot and the marina. She said, “Parking is #1.” Ms. Rodgers said in regard to the marina area, “there are papers that exist that call for the area to remain of public use.” She knows that there are restrictions on the half of Secession Park that was donated to the city, and that it can’t change, or it reverts to her family.

**Alan Dechovitz**, Redevelopment Commission, explained the projects he’s involved in. He said the Redevelopment Commission is comfortable with and supportive of the rezoning as proposed. Council has approved the part of the Civic Master Plan that enables development at the Marina parking lot site. The memorandum of understanding is a type of contract established between the Redevelopment Commission, council, and the Historic Marina Partners. Everything pertaining to this memorandum of understanding has been procedurally correct, he said, unless the **Bill Harvey**, the city attorney, is believed to have made an error. They have been very circumspect about procedure and had public sessions. Some proprietary issues were done in the normal course of business in closed session, but all other types of action they have taken have all been public. He said according to the record, they have never behaved incorrectly.

Mr. Dechovitz said the MPC is “caught in between two visions for the city.” There has been an extensive amount of economic analysis, and stakeholders have come to believe that they need a change in strategy to get fewer tourists but more high-income visitors in a new strategy – not a high volume of tourists and government and military jobs which don’t generate the kind of economic activity that will support the lifestyle of the small town that they would like to have. Mr. Dechovitz said the analysis has been very thorough. He said he believes the change in strategy is necessary and will spark the kinds of redevelopment that will support the city in the long haul.

Mr. Dechovitz said the memorandum of understanding between the city and the Open Land Trust, as he recalled, was not found as recorded on the deed, but the Open Land Trust found a copy of the memorandum of understanding, and the Redevelopment Commission, the city, and the developers have no intention of violating the intentions of that agreement. They met with the Open Land Trust and said they know there is a long-standing memorandum of understanding, and they asked if they would work with them on an alternative plan, and OLT said they wanted to see the plan. They might be able to find a *legal* way to do something that is more to the liking of the Open Land Trust and is more useful than a small park is today and enhances the lifestyle of all in the City of Beaufort.

The memorandum of understanding was guided by Mr. Harvey and is thoroughly researched and legal, Mr. Dechovitz reiterated. “There is nothing shady here,” he said. The memorandum of understanding is important in that it does not immediately say the City of Beaufort will convey the property to the developers. It says if Historic Marina Partners’ plan meets the city’s criteria, and the plan is desirable from the city’s standpoint, then the city will lease or sell the property. He said the city is most likely to lease it, not sell it. Changing the zoning to CC would open up the developer’s options, but the city doesn’t have to convey or lease the property. The zoning change “will not result in all kinds of unintended consequences.” Historic Marina Partners want and will bring a plan that comports with the Civic Master Plan; the addendum pertaining to the marina has been approved, Mr. Dechovitz said.

The City of Beaufort will not proceed unless it’s economically feasible. The developers have said, since they don’t own the property, Mr. Dechovitz said, they want assurances that the city will change the zoning before the spend money to create the plan. This effort is being made in good faith to show the developers that the city is serious.

Mr. Dechovitz said all of this has proceeded procedurally correctly, in concert with public documents, but they need, this evening preferably, the change of zoning on the parking lot of the marina.

**Terry Murray** spoke as a board member of the Open Land Trust. She said at a recent Redevelopment Commission meeting, there were suggestions that the Open Land Trust was

open to negotiating on Freedom Park, and she said when they heard that, **Dean Moss** and Ms. Kennedy went to each board member, and they were asked if there were comments made that could be misconstrued. They are not open to negotiating or bargaining in any way, she clarified.

Chairman DeVito said he wished they hadn't combined public and private property. He would like private property owners to petition for rezoning separately. He was also concerned about the letters the MPC received, and that the zoning plan "was so quickly changed." He said he supports the CP zones and knows there are some covenants.

Commissioner Howard said she shared his concerns. Commissioner Semmler said he agrees, too, and added that no one has addressed the issue of parking when the parking lot is taken away. Commissioner Semmler said he was very disappointed in how this was presented, and the Metropolitan Planning Commission hasn't had a chance to read the stacks of paper that had been received this evening. He said he's "not completely clear on this": If the city issued an RFP and then a company came to develop the marina site, he asked if there were a statement in the RFP that said that zoning would be changed. If the city issued a contract and said they would change the zoning, then the Metropolitan Planning Commission doesn't need to meet. He said that "this is so important" and for it to be presented in "such a disjointed manner" is "almost insulting. He said that people saying that the Civic Master Plan has been approved and needs to be stuck to are incorrect. He is very concerned about the fact that council is voting on this tomorrow. He said he'd called the county lawyer. He said he's "insulted and upset" about how this issue been presented to the commission.

Ms. Anderson said the packet was sent out a week in advance per usual. The information that came later was the information that Mr. Johnson sent her. He delivered it, she scanned it, then she emailed it to the Metropolitan Planning Commission, then she did more research in order to give the additional information to the Metropolitan Planning Commission. What was presented to the Metropolitan Planning Commission tonight were the comments that had been received since then. The hearing notice for January 28<sup>th</sup> is what appeared in the paper today. She said the only thing that was rushed was the changing of the date of the regular meeting because of the Martin Luther King, Jr. holiday next Monday.

Chairman DeVito said he agreed that he got the information at the usual times, "but this is an important issue." Ms. Anderson said the proposal started with the parking lot issue, but they don't have to do the private zoning; they included it because the owners were interested, and the change has been asked for since 2008. They can just approve or disapprove certain zonings. They can recommend approval or denial, and it can come back next month. Chairman DeVito said if the rezoning is denied, they couldn't come back next month as individual property owners.

Chairman DeVito said he struggles with rezoning the public property without knowing what will be done with the property. Commissioner Howard said there seemed to be a discrepancy between what the Redevelopment Commission thought was said and what the Open Land Trust thought was said. Commissioner Semmler said he sensed that there was also some confusion about the legal documents to the properties. Ms. Anderson said “the rezoning wouldn’t lock in a plan, when they have a plan.” Chairman DeVito said anything that the zoning says can be built there could be built there if they rezone it. He said they need to know what is being built there.

**Chairman DeVito made a motion that the Metropolitan Planning Commission separate the public and the commercial properties for vote. Commissioner Howard seconded. The motion passed unanimously.**

**Chairman DeVito made a motion that the application be tabled until the property owners have an opportunity to decide if they want to be rezoned. Commissioner Howard seconded. Chairman DeVito withdrew his motion and Commissioner Howard her second.**

**Chairman DeVito made a motion that the rezoning of the properties north of Bay Street, not including the public part of Secession Park, be tabled until the owners of the properties have an opportunity to decide if they want to be rezoned. Commissioner Harris seconded. The motion passed unanimously.**

**Chairman DeVito made a motion to recommend to council that they deny the rezoning application until there is a plan put in place, and the covenants are put in place for the public land, thereby leaving all current zoning on the properties. Commissioner Harris seconded. Commissioner Crower said he has “a lot of heartburn” with the property going from CP to CC. Anything related to the waterfront is allowed for CP, he said.**

Chairman DeVito said if it goes through as a denial from the Metropolitan Planning Commission, it can’t come back before the Metropolitan Planning Commission for a year. Ms. Anderson said that’s correct; it will be a year before they can come back before the Metropolitan Planning Commission with the same zoning. Chairman DeVito said he would like the city to withdraw the request so they could come back. Ms. Anderson said she’s not in a position to do a withdrawal. Chairman DeVito said if they table it, if the process can be moved on in 30 days, it can move on. If they want council to hear what they have to say, they should deny the rezoning of the public-owned land south of Bay Street and Secession Park, per his motion. **The motion passed unanimously.**

#### **CITY OF BEAUFORT – UDO AMENDMENT**

Revising Section 6.5.I.5 and Section 7.3.E.4 of the Unified Development Ordinance pertaining to the critical area buffer, to add provisions for roads, sidewalks, and property with existing bulkheads.

*Applicant: City of Beaufort*

Ms. Anderson said this pertains to the critical line setback and the objective is to permit public streets, paths, and sidewalks within the setback area.

In regard to the Boundary Street Master Plan, some of the streets are located all or nearly within the critical line setback. She said she believes it wasn't the intention of the plans authors or council to have these paths, sidewalks, etc. held to the same setback requirements as a private commercial development would be held. Staff also proposes to exempt commercial lots that have a bulkhead from the 50' setback requirement. The critical area setback isn't warranted. She said exempting commercial properties from the critical line setback doesn't exempt them from stormwater control requirements. Also, staff isn't proposing to exempt bulk-headed residential property from the critical line setback requirement because construction of a single-family dwelling on an existing lot of record is exempt from the city's stormwater ordinance and staff is concerned about blocking neighbor views of the water, so this would apply only to commercial uses.

Ms. Anderson said the average setback is 50' with a minimum of 35'; it's difficult to determine the average setback, she said, and explained why. In terms of administration, it's easier to say its 50' from the area. These 3 changes appear in 2 sections of the ordinance. Critical line setback appears in 6.5, which is measurement.

Ms. Anderson showed the highlighted parts of the UDO that would be changed. It has to be accessible to the public. In regard to the bulkhead, she reviewed the exemption from the requirement. She showed what would be allowed in the setback area; "streets and sidewalks accessible to the public" would be the new language. Commissioner Howard asked if they could add something about areas under conservation easements – that there couldn't be anything there. She said Beaufort County Open Land Trust has an easement on a part of the area on Bay Street. Ms. Anderson said zoning doesn't supersede a conservation easement or a covenant. On the building permit application, there's a question about whether the use is contradicted by a restrictive covenant on that property.

Ms. Anderson said another issue is that in the master plan, the street layout was codified, and "the streets are sort of set in stone in terms of their location"; she showed "which ones are getting close." They are looking at a project in this area in which this could be a problem. Chairman DeVito said he likes that this is only public streets, and the run-off can be controlled and they know where it's going.

Commissioner Semmler asked if this applies to the Spanish Moss Trail. Ms. Anderson said **Reed Armstrong** had brought up multi-purpose trails. In one section of the ordinance, the path was said to be OK, but then it's not mentioned elsewhere. Commissioner Semmler asked if they need a special section; Ms. Anderson said the trail is "a path, sidewalk, or promenade."

Commissioner Semmler said that, in the Master Plan, they had proposed an idea for a boardwalk from the marina to Beaufort Elementary School. Commissioner Howard said part of that is under restrictive easement. Commissioner Semmler said that was in the plan, though, and he's concerned about the parts that aren't. Commissioner Semmler said the Whitehall Plantation isn't in the city, but there have been many proposals. Chairman DeVito reiterated that this would apply to the full UDO. Commissioner Howard said maybe there should be a word or two added about restrictive covenants as a reminder. Ms. Anderson said that's fine with her, for clarity. They can add that language to 2 sections.

**Commissioner Howard made a motion to recommend approval with the addition of some language added in regard to restrictive covenants. Commissioner Semmler seconded. The motion passed unanimously.**

### **CITY OF BEAUFORT – UPDATE OF COUNCIL ACTIONS**

Ms. Anderson said that a public hearing and first reading of the ordinance adopting the Civic Master Plan is scheduled for the January 14 council meeting. The Sector 1 plan was already adopted. When the citywide plan is adopted, there's specific language that it supersedes Sector 1.

There will be public hearings at the January 14 council meeting about rezoning five lots in and near the 1000 block of Craven Street and three lots on Greenlawn Drive. There will also be a public hearing on the UDO amendment revising Boundary Street Redevelopment District standards.

### **OTHER BUSINESS**

Chairman DeVito said that when the Northern Regional Planning Commission traditionally meets, the chairmanship goes back and forth between 2 chairs. He said a meeting is scheduled to come up, and however the committee goes on, he would suggest that the chair of the Metropolitan Planning Commission not be part of the committee because it's hard for him to attend the meetings. Chairman DeVito said **Jim Hicks** had the time and was able to do it, but he doesn't have that time. Commissioner Semmler said he has the same problem, but if the group goes on, the chair position goes back and forth, and Chairman DeVito would be asked to be there even when he's not the chair. He would like to change the rules, Commissioner Semmler said, that if the chair of the Metropolitan Planning Commission can't be there, someone else could be designated to be there. Chairman DeVito said he has tried to get them to agree to meet at a different time.

Chairman DeVito said he wants to discuss how the Metropolitan Planning Commission interacts with the Northern Regional Planning Committee. Chairman DeVito feels that "the group is right for many things, but someone has to be able to say what is going on out there." The chair isn't always involved with everything. The 3 different government agencies and the military have to

decide what goes to the Northern Regional Planning Committee. Commissioner Semmler said they should give the chair the leeway for someone to appear in his absence.

Commissioner Semmler said a year and half ago, he asked why there wasn't a new zoning category for things like the Spanish Moss Trail. He also asked why all the parks couldn't be under a particular zoning restriction, and then they're all the same. He said maybe they need to invent a different category for consistency, and he thinks this would be a good matter for Northern Regional Planning to take up. He gave some examples of parks that need to be managed and maintained that "would benefit from the same type of zoning across the board," so no one could put up a hot dog stand there. He asked if the Metropolitan Planning Commission could propose that. Ms. Anderson said the form-based code should take care of that. She said she'd ask **Linda Bridges** and **Rob Merchant** about how they are handling the pocket parks. Chairman DeVito asked her to come back with that information next month.

Ms. Anderson said the form-based code is set up to do this, but there's a question of whether they do it for *every* park. Commissioner Crower said the form-based code transect zones won't help with that. Chairman DeVito said they could have a park in any transect zone. Ms. Anderson said this is apparently a big debate in New Urbanism, as to whether a park is T-2 or T-4. Chairman DeVito said they have to think more about use than zoning. There was a general discussion about the sidewalk matter.

**There being no further business to come before the commission, Chairman DeVito made a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 7:26 p.m.**

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**CITY OF BEAUFORT**  
**REZONING ANALYSIS RZ14-02**  
**PUBLIC HEARING DATE: MARCH 11, 2014**

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**Applicant**

The applicant is the City of Beaufort.

**Site**

Two parcels located in the 1000 block of Bay Street, and two parcels located in the 300 block of Charles Street are proposed to be rezoned (see attached map). The property addresses, property identification number, owner, and current use of each lot is outlined below.

<u>Address</u>	<u>District, Map, Parcel</u>	<u>Owner</u>	<u>Use</u>
1011 Bay St	R121, 4, 848	Saul, LLC	Wells Fargo Bank
1014 Bay St	R120, 4, 846	Sea Island Hotel	Best Western Sea Island Inn
310 Charles St	R12, 4, 847	Saul, LLC	vacant lot
314 Charles St	R121, 4, 847B	Domi Adsum, LLC	short term rental

The lots are located in The Bluff neighborhood of the Historic District.

**Present Zoning**

The lots are zoned Office Commercial District (OC). The OC district permits all types of office uses and all types of residential uses--single-family, two- and three-family dwellings, townhouses, and multifamily dwellings. B&Bs, inns, community service uses (ex., senior center), and day care facilities are also allowed. Retail uses are not permitted. Two of the lots zoned OC contain nonconforming uses—the Wells Fargo Bank and the Best Western Sea Island Inn.

The attached map shows the current zoning pattern in the area.

**Proposed Zoning**

Two of the lots, 1011 Bay Street, Wells Fargo Bank, and 1014 Bay Street, the Sea Island Inn, are proposed to be rezoned to Core Commercial District (CC), which is the current zoning of the historic downtown core--Bay and Port Republic Streets. The Elliot House, located at 1001 Bay Street, at the corner of Bay and Charles Street, is also zoned CC. As described in the Unified Development Ordinance (UDO):

The CC Core Commercial zoning district is intended to be developed and reserved for general business and specific residential purposes. The regulations which apply within this district are designed to encourage the maintenance of a centrally located trade and commercial area and to foster the development of certain residential uses.

Drive-through facilities, except for banks, are not permitted. The Use Table from the Unified Development Ordinance, which outlines the uses permitted in various zoning districts, and a copy of the development standards for the districts are attached. Also attached is a table comparing uses permitted in the OC district verses uses permitted in the CC zone, and a table comparing uses in the OC verses NC zone. The CC district does not require any on-site parking except for motels and hotels (guest accommodations with over 25 rooms).

The other two lots, 310 and 314 Charles Street, are proposed to be rezoned Neighborhood Commercial District (NC). The building at 308 Charles Street (currently used for offices), is already zoned NC. The NC zone is a mixed-use district permitting all types of residential development as well as office and commercial uses. The footprint of new free-standing office and retail uses is limited to 2,500 square feet in an effort to prevent “big box” type commercial development, although larger facilities are allowed as part of a mixed-use development. Drive-through facilities, except for banks, are not permitted.

A map showing the proposed zoning is attached.

**Consistency with Comprehensive Plan**

The proposed rezoning of the lots on the Bay Street was recommended in the 2008 “Historic Preservation Plan Update” (see attached map). Staff has chosen not to zone the entire block CC, as the lot at 308 Charles Street was recently rezoned to NC. In addition, it is anticipated that during the form-based code process, the Charles/Craven intersection will be coded for a Neighborhood Commercial-level transect.

**Land Use Compatibility**

The historic downtown core contains a mix of retail and restaurant uses. The area to be rezoned is surrounded by single-family dwellings, a law office, and two inns. A map showing current land uses in the area is attached.

**Suitability of Property for Uses Permitted in Current Zoning District**

Two of the uses, the Wells Fargo bank and the Sea Island Inn, are nonconforming under the *current OC zoning; the OC district does not permit banks or motels.*

**Suitability of Property for Uses Permitted in Proposed Zoning District**

The proposed rezoning will allow a wider variety of commercial and mixed-uses on the properties. The rezoning will make two nonconforming uses—the Wells Fargo Bank and the Best Western Sea Island Inn, conforming.

**Compatibility of Uses Permitted in Proposed Zoning District with Natural Features**

No impact on natural features is expected to occur as a result of this rezoning.

**Marketability of Property for Uses Permitted by Current Zoning District**

The properties would likely be more marketable under the proposed zoning, as a wider variety of uses are permitted.

**Availability of Infrastructure**

The area is served with water and sewer. On-street parking is available on the north side of Craven Street, the west side of Charles Street, and the west side of Newcastle Street. There is a public parking lot located on Craven Street, just east of Charles Street.

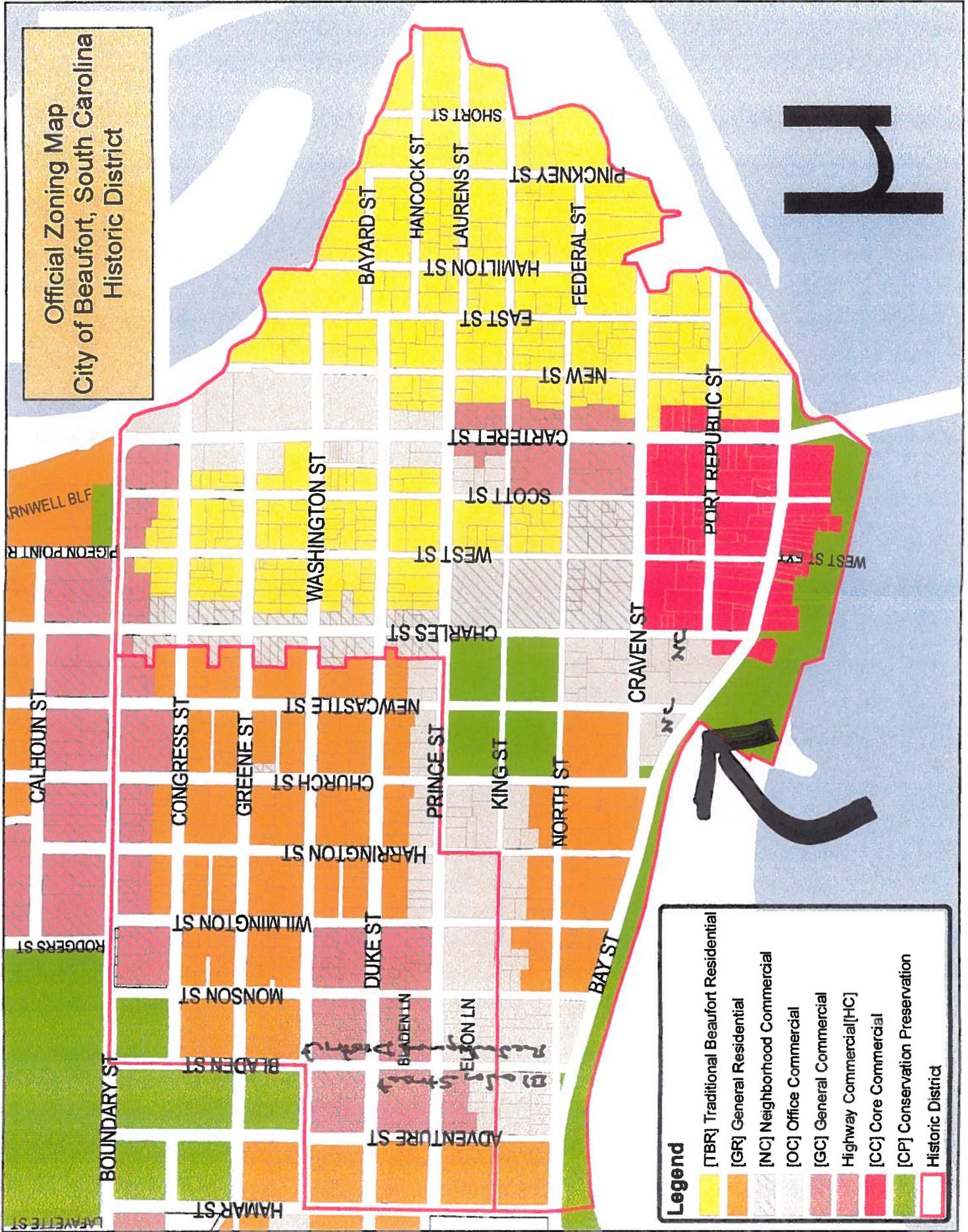
**Public Notification**

Letters were sent to owners of all property within 400' of the property being rezoned on January 3.

Staff has contacted the owners of the four properties proposed to be rezoned. Three of the four property owners said they supported the proposed rezoning. The ownership of the Sea Island Inn did not want to take a position on the rezoning.



Official Zoning Map  
City of Beaufort, South Carolina  
Historic District



**Legend**

- [TBR] Traditional Beaufort Residential
- [GR] General Residential
- [NC] Neighborhood Commercial
- [OC] Office Commercial
- [GC] General Commercial
- Highway Commercial[HC]
- [CC] Core Commercial
- [CP] Conservation Preservation
- Historic District

## 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:

<b>BASE ZONING DISTRICTS</b>	
<b>Residential Zoning Districts</b>	
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
<b>Commercial Zoning Districts</b>	
NC	Neighborhood Commercial
OC	Office Commercial
CC	Core Commercial
GC	General Commercial
HC	Highway Commercial
<b>Industrial Zoning Districts</b>	
LI	Limited Industrial
IP	Industrial Park
<b>Special Purpose Zoning Districts</b>	
CP	Conservation Preservation
MED	Medical
PUD	Planned Unit Development
MR	Military Reservation
<b>OVERLAY ZONING DISTRICTS</b>	
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.

## 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.





Use Category	Specific Use	Residential											Nonresidential							Special Purpose		
		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				P	P	E									
	Inn (up to 24 units)									P	P	P	P	P								
	Motel/Hotel/Extended Stay										P	P	P	P								
	Housing, Short Term Rental	S	S	S	S	S	S	S	C	C	C	C	C	C	C							
Parking, Commercial	Recreational Vehicle Park													S								
																		P				
Retail Sales and Service	Animal Hospital/Kennel																					
	Bakery																					
	Banquet Facility																					
	Body Piercing Facility																					
	Drug Store/Pharmacy																	P				
	Tattoo Facility																					
	Other Retail Sales and Services																					
Self-Service Storage	Single-Story																					
	Multi-Story																					
Vehicle Sales and Service	Vehicle Service and Repair																					
	Car Wash																					
	Fuel Sales																					
	Vehicle Service, Limited																					
	Boat Sales and Service																					
	Other Vehicle Sales and Service																					
<b>INDUSTRIAL (See Section 5.2G)</b>																						
Aviation Services																		P				
Light Industrial Services																		P				
Manufacturing and Production																		P				



### 6.3 Nonresidential District Standards

#### A. Nonresidential Development Standards

##### 1. Commercial and Industrial Districts

The following table illustrates the dimensional standards that apply in the City's base Commercial and Industrial districts:

Standard	Zoning District					
	NC	OC	CC	GC	HC	LI
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min.	2,500 SF 25 feet	4,000 SF 40 feet	2,500 SF 25 feet	4,000 SF 40 feet	6,000 SF 60 feet	10,000 SF 100 feet
<b>Minimum Yards***</b> Front Yard Rear Yard Side Yard	(Build-to) 3-10 feet 10 feet none	10 feet 10 feet 10 feet	none none none	(Build-to) 7-12 feet 10 feet 10 feet	25 feet 15 feet 10 feet	25 feet 35/ 50 feet** 10/ 25 feet**
<b>Impervious Surface Coverage, Max.</b>	75%	60%	N/A	65%*	60%	65%
<b>Maximum Height</b>	42 feet	50 feet	See Section 6.5.K.11	50 feet	50 feet	50 feet

\*Maximum impervious coverage may be increased to 75 percent for redevelopment sites.

\*\*35' except when property abuts another zoning district 50' is required and 10' except when property abuts another zoning district, 25' is required.

- \*\*\* a. Single-family standards should be the same as R-4.
- b. Multifamily standards should be the same as GR; maximum density 30 dwelling units per gross acre.
- c. Maximum density for Residential, Upper Story, 35 dwelling units per gross acre.

The following table illustrates the dimensional standards that apply in the City's Special Purpose districts:

Standard	Zoning District	
	MED	IP
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min. Floor Area, Min.	5,000 SF 50 feet ---	10,000 SF 50 feet ---
<b>Minimum Yards</b> Front Yard Rear Yard Side Yard	35 feet 25 feet 25 feet	20 feet 15/50 feet* 10/35 feet**
<b>Impervious Surface Coverage, Max.</b>	65%	No Limit
<b>Maximum Height</b>	50 feet	120' except where limited by Section 6.7.B, AICUZ obstruction Height Zones

\*15' except where property abuts a non-industrial district when 50' is required.

\*\*10' except where property abuts a non-industrial zoning district when 35' is required.

## Article 6. District Development Standards

### 6.1 Residential District Standards

#### A. Residential Development Standards

The following table illustrates the dimensional standards that apply in the City's base Residential districts:

Standard	Zoning District								
	TR	RE	R-1	R-2	R-3	R-4	GR and TBR-Old Commons	TBR-The Point	MHP
<b>Lot Dimensions</b>									
Lot Area, Min.	3 AC	21,780 SF	12,500 SF	9,000 SF	6,000 SF	4,000 SF	See note 5	See note 1	5 acres 150 feet 150 feet
Lot Width, Min.	100 feet	100 feet	100 feet	80 feet	60 feet	40 feet			
Lot Frontage, Min.	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet			
<b>Minimum Yards</b>									
Front Yard	35 feet	35 feet	30 feet	20 feet	15 feet	12 feet	See note 2 See note 6 See note 6	See note 2 15 feet 10 feet	25 feet 15 feet 15 feet
Rear yard*	15 feet	50 feet	15 feet	15 feet	15 feet	15 feet			
Side Yard*	15 feet	15 feet	15 feet	12 feet	10 feet	6 feet			
<b>Impervious Coverage</b>	N/A	N/A	40%	45%	50%	55%	50%	55%	N/A
<b>Maximum Height</b>	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	See note 3	See note 4	35 feet

1. Minimum 6,000 SF lot area and 60 feet in width for single-family; 8,000 SF lot area and 80 feet in width for two-family and 10,000 SF in lot area and 100 feet in width for three-family.
2. In the Historic District, use average prevailing setback for front yard; accessory structure side and rear yard setbacks may be reduced to 5'.
3. Maximum height 35 feet for single-family structures, 50 feet for multifamily.
4. Maximum height 35 feet above base flood elevation.
5. For single-family development see R-4 standards; for two-family, three-family and multifamily development (GR only), minimum 6,000 SF lot area, 60 feet lot width, and 60 feet lot frontage, maximum density 25 units per gross acre.
6. For multifamily development, minimum front yard 25 feet, minimum rear yard 15 feet, and minimum side yard 10 feet; single-family development, see R-4 standards;

\*See Section 5.4.G. for setbacks for accessory structures.

#### B. Average Prevailing Setback (Front Yard)

The average prevailing front yard setback shall be measured by averaging the front yard setbacks on the three lots adjoining either side of the proposed lot. When the three lots extend more than 100 feet from the side lot line of the proposed lot, only those lots lying at least partially within 100 feet of the proposed lot line shall be used in calculating the average prevailing setback. The Administrator may exercise reasonable discretion and flexibility in determining the average prevailing front yard depth so that it is harmonious with the existing streetscape; however, the minimum front yard shall be no less than five feet.

#### C. MHP Manufactured Home Park District

##### 1. MH Park plan

In order to qualify for a MH Manufactured Home zoning classification, a proposed park must first meet the following specific requirements:

**DIFFERENCES IN PERMITTED USES  
BETWEEN OFFICE COMMERCIAL DISTRICT  
AND CORE COMMERCIAL DISTRICT**

USE	OFFICE COMMERCIAL		CORE COMMERCIAL		COMMENTS
	COMMERCIAL	COMMERCIAL	COMMERCIAL	COMMERCIAL	
Single-Family, Detached	C		E		Condition: structures must meet all design standards
Zero Lot Line	C		-		Condition: structures must meet all design standards
Village House	C		-		Condition: structures must meet all design standards
Cluster Development	C		-		Condition: structures must meet all design standards
Two-Family Dwelling	C		E		Condition: structures must meet all design standards
Three-Family Dwelling	C		P		Condition: structures must meet all design standards
Townhouse Dwelling	C		-		Condition: structures must meet all design standards
Accessory Dwelling	C		-		Conditions: lot must be conforming etc.
Group Dwelling	-		P		
Daycare	P		-		
College/University	P		-		
School, Public/Private	C		-		Condition: building must be > 20' from any property line
School, Trade/Vocational	C		-		Condition: building must be > 20' from any property line
Healthcare Facilities	P		-		
Institutions	S		-		
Restaurant w/o Drive-thru	C		P		Condition: must be "in conjunction with an office building"
Restaurant w/o Seating	-		P		
Restaurant w/outdoor cooking	-		S		
Indoor Entertainment	-		P		
Motel/Hotel/Extended Stay	-		P		Condition: must have 1 off-street parking space/guest unit
Bakery	-		C		Condition: cannot include a drive-thru
Banquet Facility	C		P		Condition: must be located in the Historic District
Drug Store/Pharmacy	-		C		Condition: cannot include a drive-thru
Other Retail Sales and Services			C		Condition: cannot include a drive-thru except for banks

P = Permitted by Right; no special conditions apply

- = Not Permitted

C = Conditional Use; staff reviews for compliance with the conditions outlined in ordinance

S = Permitted by Special Exception by Zoning Board of Appeals after a public hearing

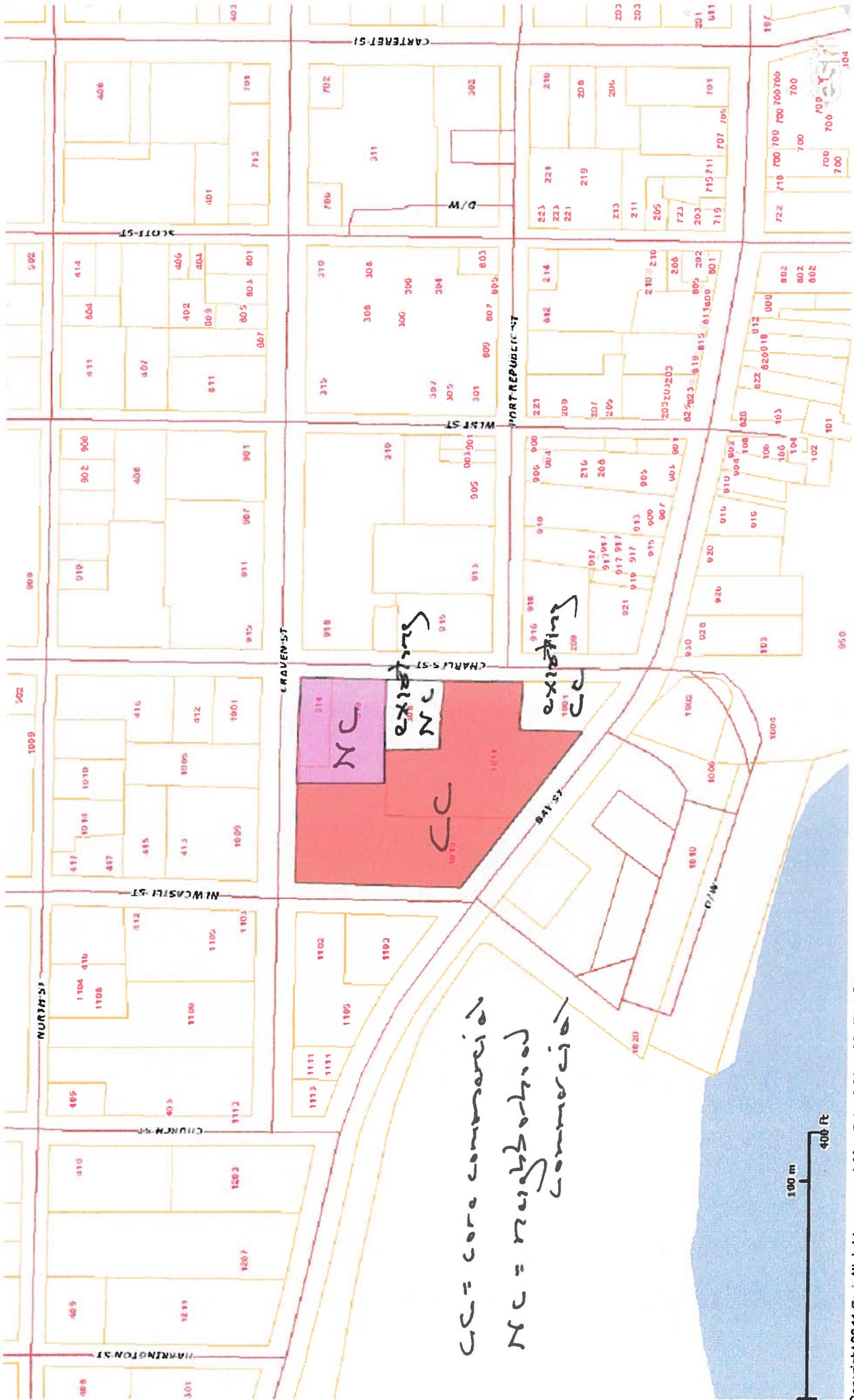
E = Permitted (only) in Existing Structures

**DIFFERENCES IN PERMITTED USES BETWEEN OFFICE COMMERCIAL DISTRICT  
AND NEIGHBORHOOD COMMERCIAL DISTRICT**

USE	OFFICE COMMERCIAL	NEIGHBORHOOD COMMERCIAL	COMMENTS
Townhouse Dwelling	C	P	Condition: must meet all design standards
Group Dwelling	-	P	
College/University	P	-	
School, Public/Private	C	P	Condition: must be at least 20' from property line
School, Trade/Vocational	C	-	Condition: must be at least 20' from property line
Health Care Facilities	P	-	
Institutions	S	-	
Restaurant w/o Seating	-	C	Condition: building footprint cannot exceed 2,500 sq ft
Restaurant w/outdoor cooking	-	S	
Indoor Entertainment	-	C	Condition: building footprint cannot exceed 2,500 sq ft
Medical Office/Clinic	P	C	Condition: building footprint cannot exceed 2,500 sq ft
Other Offices	P	C	Condition: building footprint cannot exceed 2,500 sq ft
Parking, Commercial	P	C	Condition: must have a linear building on front ground floor
Bakery	-	C	Condition: can't include a drive-thru; size limit
Banquet Facility	C	P	Condition: must be in a Contributing Structure
Drug Store/Pharmacy	-	C	Condition: can't include a drive-thru
Other Retail Sales & Services	-	C	Condition: building footprint cannot exceed 2,500 sq ft

P = Permitted by Right  
 - = Not Permitted  
 C = Conditional Use  
 S = Permitted by Special Exception

# Proposed Zoning



CC = core commercial  
 NC = neighborhood commercial

**Excerpt from 2008 Historic Preservation Plan Update**

# Beaufort Historic Preservation Plan Update - Proposed Zoning

Beaufort, South Carolina

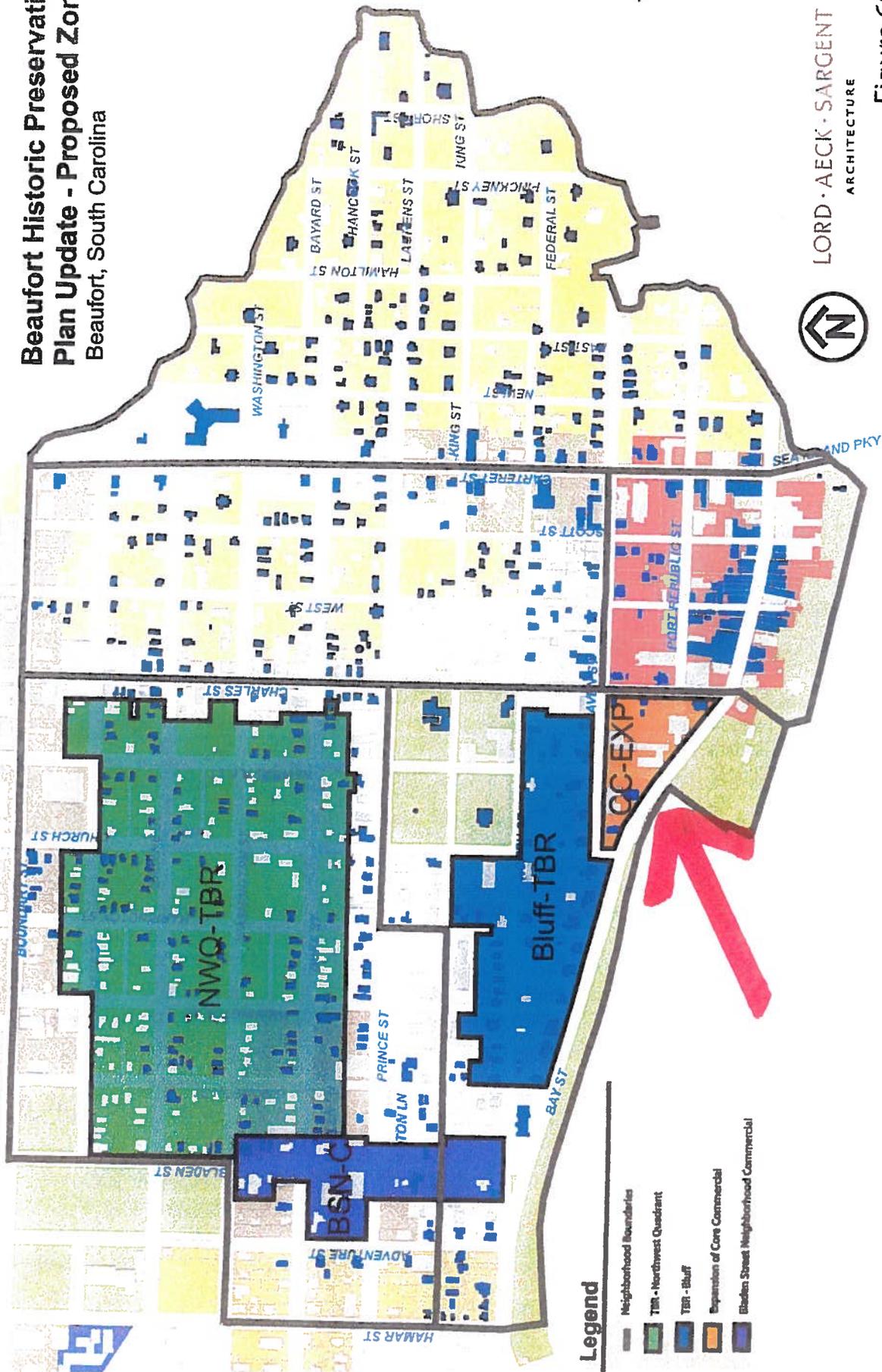
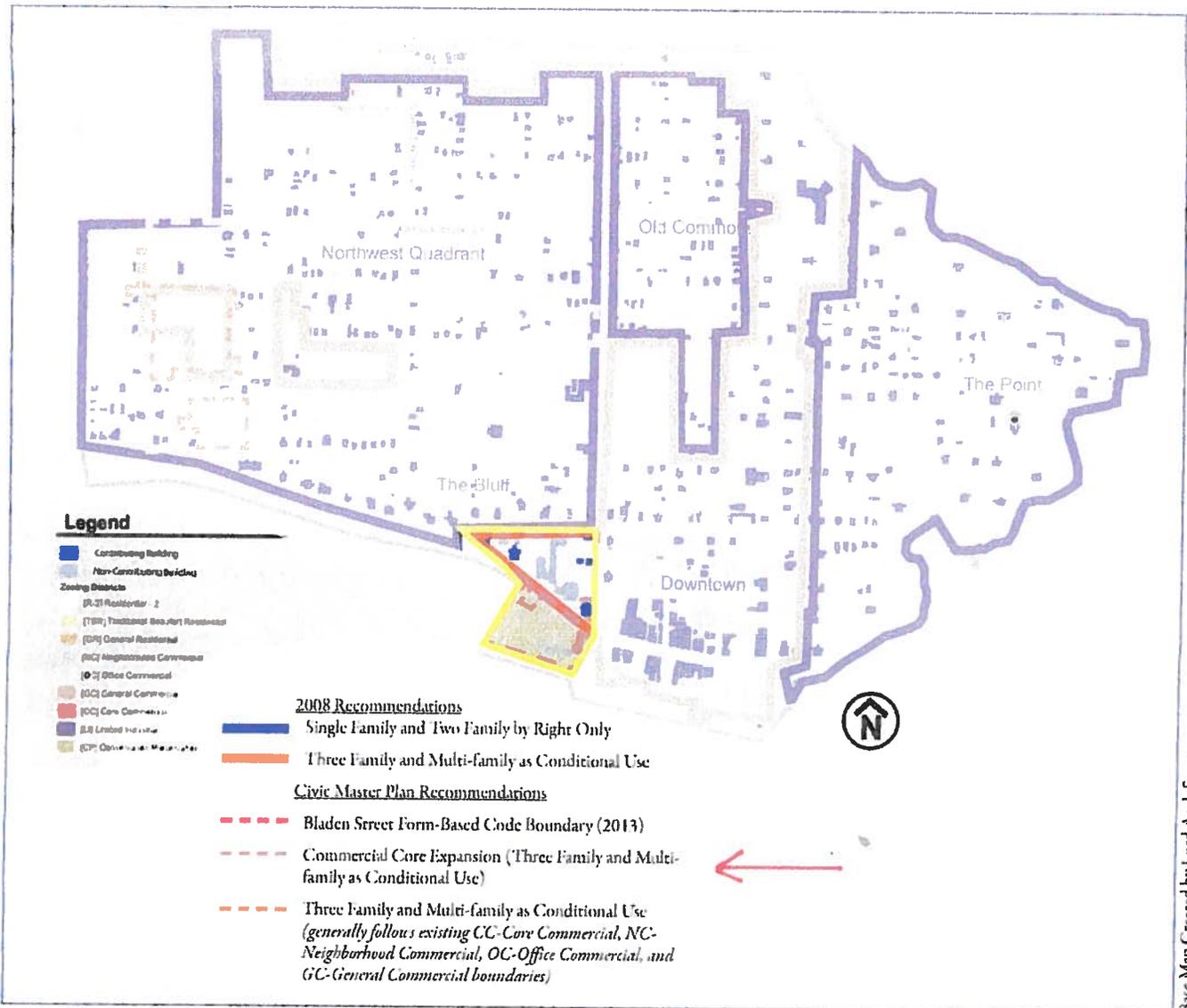


Figure 69

## Excerpts from Draft Civic Master Plan

# 10.3 Proposed Zoning Changes for the National Historic Landmark District



Base Map Created by Lord Aeck Sargent

# Property Proposed for Rezoning

Existing Land Use



C = commercial  
 mf = multi-family  
 P = park  
 SF = single-family

**City of Beaufort Department of Planning and Development Services**

**MEMORANDUM**

**TO: Beaufort–Port Royal Metropolitan Planning Commission**  
**FROM: Libby Anderson, City of Beaufort Planning Director 525-7012**  
**DATE: February 10, 2014**  
**SUBJECT: Status Report on City Council Actions**

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**Adoption of Civic Master Plan.** Second reading of the ordinance adopting the Civic Master Plan is scheduled for the February 11 City Council meeting.

**Rezoning Five Lots in and near the 1000 Block of Craven Street.** First reading of the rezoning ordinance is scheduled for the February 11 City Council meeting.

**Annexation and Rezoning of Three Lots on Greenlawn Drive.** First reading of the annexation and rezoning ordinances is scheduled for the February 11 City Council meeting.

**UDO Amendment Revising Boundary Street Redevelopment District Standards.** First reading of the ordinance is scheduled for the February 11 City Council meeting.

**UDO Amendment Pertaining to the Critical Line Setback.** A public hearing on this ordinance is scheduled for the February 11 City Council meeting.

**Rezoning Three Lots in the Waterfront Park Marina Parking Lot.** The Freedom Park property has been eliminated from the rezoning proposal. A public hearing on rezoning the remaining two lots is scheduled for the February 25 City Council meeting.

**Rezoning the 1100 Block of Bay Street.** This rezoning is on hold pending coordination with the property owners.

Please contact me with any questions on this information.

Thank you.