

BEAUFORT-PORT ROYAL METROPOLITAN PLANNING COMMISSION

AGENDA

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

Monday, February 18, 2013 5:30 P.M.

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

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 January 24, 2013 Meeting.
- IV. Review of Projects for the Town of Port Royal:
 - A. Town of Port Royal – Amend Comprehensive Plan’s Future Land Use Map
Amend the Future Land Use Map in the Land Use Element to adjust the Town’s growth boundary.
 - B. Town of Port Royal – Annex Forest Lawn Cemetery.
District 100, Map 31, Parcel 2C, approximately 12.72 acres located adjacent to 611 Robert Smalls Parkway.
 - C. Town of Port Royal – Zone Forest Lawn Cemetery.
District 100, Map 31, Parcel 2C, approximately 12.72 acres located adjacent to 611 Robert Smalls Parkway. The proposed zoning is Highway Commercial with the Robert Smalls Parkway Overlay District.
 - D. Town of Port Royal – Annex 599 Robert Smalls Parkway.
District 100, Map 28, Parcel 120D, approximately 1.026 acres located at 599 Robert Smalls Parkway.
 - E. Town of Port Royal – Zone 599 Robert Smalls Parkway.
District 100, Map 28, Parcel 120D, approximately 1.026 acres located at 599 Robert Smalls Parkway. The proposed zoning is Highway Commercial with the Robert Smalls Parkway Overlay District.

F. Town of Port Royal – Update on Council Actions.

V. Review of Projects for the City of Beaufort:

A. UDO Amendment – Revising Section 6.6.F.1 “Outdoor Display of Merchandise,” to clarify what types of merchandise are exempt from display requirements.

B. City of Beaufort – Update on Council Actions.

VI. Review of Projects for the County of Beaufort:

No projects.

VII. Update on Form-Based Code Process

VIII. 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 **January 14, 2013 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were and Commissioners Alice Howard, Robert Semmler, Bill Harris, and James Crower, and Town of Port Royal Planning Director Linda Bridges.

Chairman Joe DeVito and Commissioner Jim Hicks were 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

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

MINUTES

Commissioner Crower said that on page 1 of the minutes, he would like a note clarifying the fact that there was an error "involving the area of the property." **Commissioner Harris made a motion, second by Commissioner Howard, to accept the minutes of December 17, 2012 as amended. The motion passed 3-0.** Commissioner Semmler abstained from voting because he was not present at the meeting.

REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL

Town of Port Royal – Amend Comprehensive Plan’s Future Land Use Map

Amend the Future Land Use Map in the Land Use Element to adjust the Town / City growth boundary

Ms. Bridges said that in the late 1990s, the municipal councils established a map drawing a line through Burton to delineate which parcels would be served by each of the two municipalities. The line was adopted by the Town of Port Royal into its comprehensive plan as its growth boundary as well as being a service boundary. The line was adjusted once in the early 2000s, which Ms. Bridges showed the commissioners on a map. The adjustment was in the Town of Port Royal’s favor, adding 10 acres to its overall future growth area.

The Town of Port Royal has been approached by property owners on Robert Smalls Parkway to annex into a municipality. They are not on the town’s side of the red line, and they are not contiguous to the town. They want municipal services, but are also six parcels away from the city. The City of Beaufort council had a work session discussion about it, and then the city manager and town manager got together and wondered if there wasn’t a better, “more sensible” line to be drawn. While looking at the adjustment on Robert Smalls Parkway, they decided it might be a good time to redraw the line entirely. It was agreed to bring the matter to the Metro Planning Commission for a recommendation on drawing the line.

Ms. Bridges said that since the initial conversations, another property owner has contacted her and said they would be very interested in coming into a municipality "sooner rather than later." Ms. Bridges read a statement from the managers as to what they were looking for: "an equitable, simpler, straightforward line."

Commissioner Crower asked if they had a proposal. Ms. Bridges said only that "the Town of Port Royal is interested in reaching out to this opportunity." These are distressed properties and could use municipal, urban zoning designations. Commissioner Howard suggested a road which would create a natural line up to Robert Smalls Parkway instead of the zigzagged line. That does split a parcel, though, she said.

Ms. Bridges said in 1999, there were competing annexation petitions on Lady's Island, and one was presented to the Town of Port Royal and one to the City of Beaufort. They decided that it was no good for the two municipalities to be competing for growth area, so Lady's Island went to the City of Beaufort and Shell Point to the Town of Port Royal.

Commissioner Harris asked what they were talking about when they talked about "equity," i.e., property size, value, etc., and Ms. Bridges said "all of the above." Commissioner Harris said the more things that are equitable, the better.

Commissioner Semmler asked if Ms. Bridges wanted them to vote on annexing this property into Port Royal. Ms. Bridges said no, they are just interested in making a sensible adjustment to the red line, if any, between Parris Island Gateway and Robert Smalls Parkway. Commissioner Semmler said "that's asking too much tonight" and not what he feels the Metro Planning Commission is charged to do.

Ms. Bridges said the ordinance that is written will be an amendment to the Town of Port Royal's comprehensive plan. A small adjustment or changing the whole line will be an amendment to the comprehensive plan because that's where the line is and it's codified.

Commissioner Howard said that things have changed, and the town manager and city manager need recommendations for logical changes, not for the commission to make a decision tonight. **Commissioner Howard made a motion that this matter be taken under consideration and tabled until the full group is present and they have had time to study it.** She feels all the commission needs to look at it.

Commissioner Semmler said he doesn't have access to information such as property values and other things he would consider to be necessary to determine what is "equitable." Commissioner Harris said he believes Commissioner Hicks would say that it could be expected that the City of Beaufort and the Town of Port Royal would get together and share their

proposal. Commissioner Howard said the Metro Planning Commission can offer Plans A, B, and C for them. Commissioner Crower said they could make a suggestion at least.

Commissioner Semmler said the Planning departments of the Town of Port Royal and the City of Beaufort need to sit down and determine what's equitable. Commissioner Howard said that's what she means about having several options that are equitable. Commissioner Harris said having a proposal come to them would help immensely. Commissioner Howard said she'd like to see more than one proposal. Commissioner Crower said he doesn't feel the Metro Planning Commission has the resources to say what's equitable, i.e., if it is developed or undeveloped, street frontage, property value, etc. They would need all that information before trying to draw a line.

Commissioner Semmler said they are only looking at a little section of the future growth boundary and will set precedent for what's equitable; what is determined will be inferred for future changes, so they have to be careful. Commissioner Semmler likes the idea of everyone sitting down and talking about it with the planners, but he feels they need more information. Commissioner Crower said they could set up a workshop instead of tabling with the matter.

Commissioner Howard amended her motion to request a workshop to look at the growth boundaries in this instance as well as the big picture, with the planners organizing the workshop and providing all available and appropriate data on the properties, other information, and history. The workshop's goal would be to come up with at least one proposal of a modified line. Commissioner Harris seconded the motion.

Commissioner Semmler said he wants to ensure that the Metro Planning Commission stays within the bounds of what it is supposed to do, and he feels the planning departments should come up with the proposals, not have the Metro Planning Commission tell them what to do. He would like the commissioners to participate in the workshop for their edification, but the Planning departments should tell the Metro Planning Commission what they propose. The two Planning departments will be in charge of planning the work session and have the data available, etc., Commissioner Crower said. Ms. Bridges asked if they were expecting this to be at a special meeting. There was general assent to that idea.

Commissioner Semmler asked if the property owners in the affected area should be notified that this process is happening. Commissioner Harris said they are not proposing annexation, etc. Commissioner Howard said there will be public notice given even if it's a workshop. Ms. Bridges said that's right and they would publish an agenda, and if there are any changes made, the councils would have to have a public hearing and two readings. Commissioner Crower said the City of Beaufort would have to amend its comprehensive plan because this also affects its growth boundary.

Reed Armstrong suggested that they look at zoning throughout the area as well

Commissioner Crower called the question. **The motion passed unanimously.**

Commissioner Harris said Ms. Bridges and **Libby Anderson** will organize the workshop. Ms. Bridges said they can organize this fairly quickly – before the end of the month – and get the zoning maps together and layered, property data in regard to developed and undeveloped, property ownership data, and at least one proposed line for the workshop, per Commissioner Semmler’s request. Commissioner Crower said “that would help for a place to start.”

TOWN OF PORT ROYAL – UPDATE ON COUNCIL ACTIONS

Ms. Bridges said council had had first reading on the property on Johnny Morrall Circle with a positive rezoning recommendation from the commission from General Residential to Mixed Use-2. They will still have a public hearing and a second reading on that.

UPDATE ON THE FORM-BASED CODE PROCESS

Commissioner Crower said the Town of Port Royal group would have a meeting the following evening on the form-based code.

There being no further business to come before the commission, the meeting was adjourned at 6:18 p.m.

City of Beaufort - Town of Port Royal Joint Metropolitan Planning Commission

Memo

To: Joint Metropolitan Planning Commission

From: Linda Bridges, Planning Administrator

Date: February 11, 2013

Subject: Adjustment to the Future Service Delivery Areas Agreement Map

In the late 1990's the municipal councils established a map that drew a line through Burton and delineated which parcels would be served by the Town and which would be served by the City. The Town adopted the line as its growth boundary and has made the map a part of the Town's Comprehensive Plan.

There is interest, by property owners on Robert Smalls Parkway, to annex into a municipality. The properties are contiguous to the town but are not on the town's "side of the line". This request has prompted a broader look at the positioning of the line. Following a quantified analysis the staffs of the City and the Town are presenting the attached adjustment to the line.

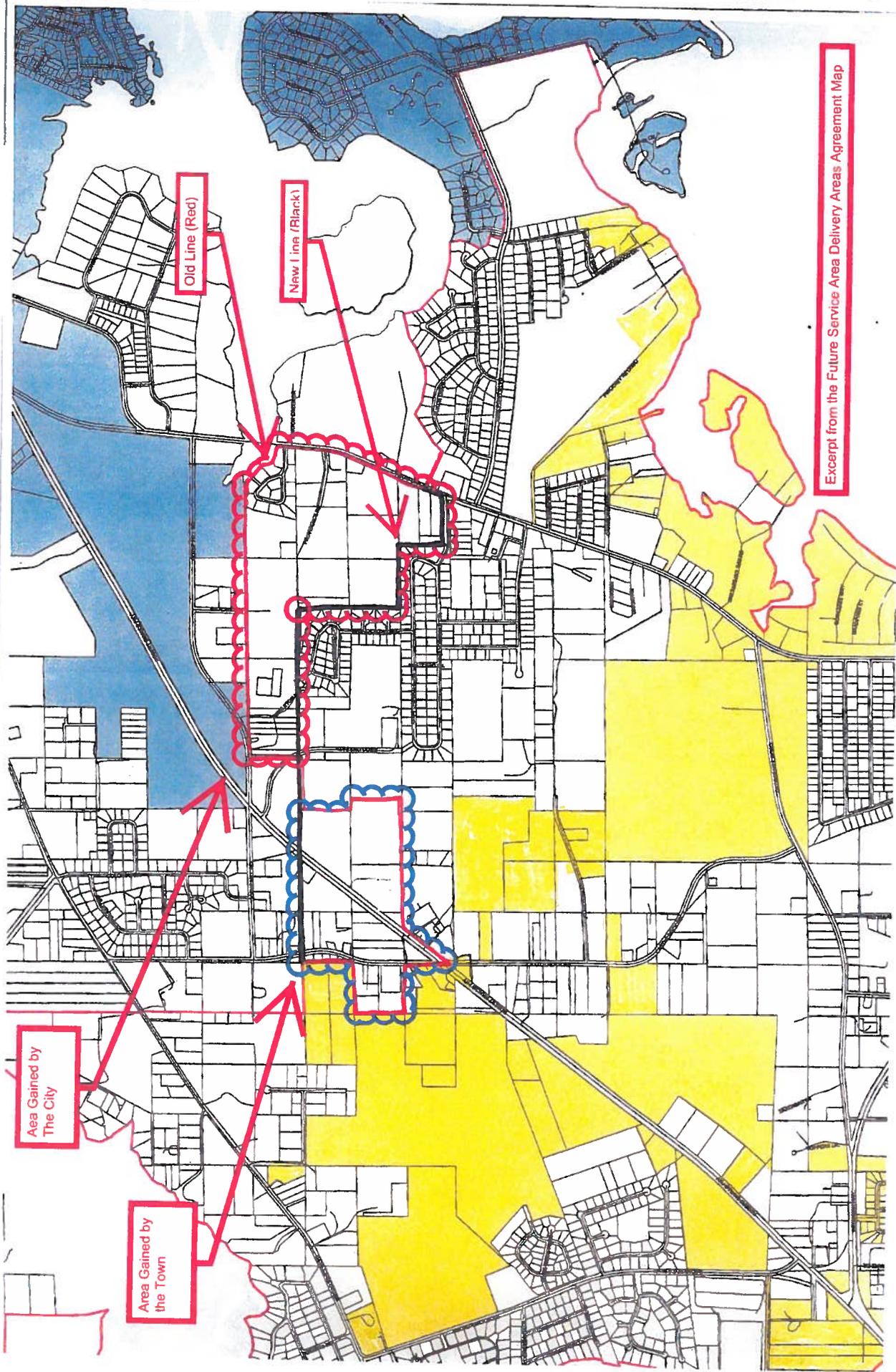
In addition to adjusting the line, staff is proposing the establishment of an Activity Center encompassing the intersection of Castle Rock Road and Robert Smalls Parkway. From the Comprehensive Plan we find that Activity Centers:

- These locations can support substantial mixed use by virtue of their proximity to major roadways and existing or proposed development.
- Activity centers, by definition, are areas which draw people in from Port Royal and the region. The attraction to these areas may be due to a number of factors – shopping and entertainment opportunities, a vibrant atmosphere, special events, or natural or historic resources.
- . . . activity centers may be suitable for larger-scale regional commercial, such as major grocery stores or retailers, which would not be appropriate in the immediate context of residential neighborhoods. These areas may also provide smaller, neighborhood scale commercial on the periphery, as the uses transition to a more residential character.

Please see Exhibit B

Summary Table

Jurisdiction	Acreage Gained	Major Road Frontage Gained	Market Value of Gained Acreage
Town	74.28826 acres	3918 linear feet	\$6,224,350
City	128.42145 acres	2295 linear feet	\$12,474,530



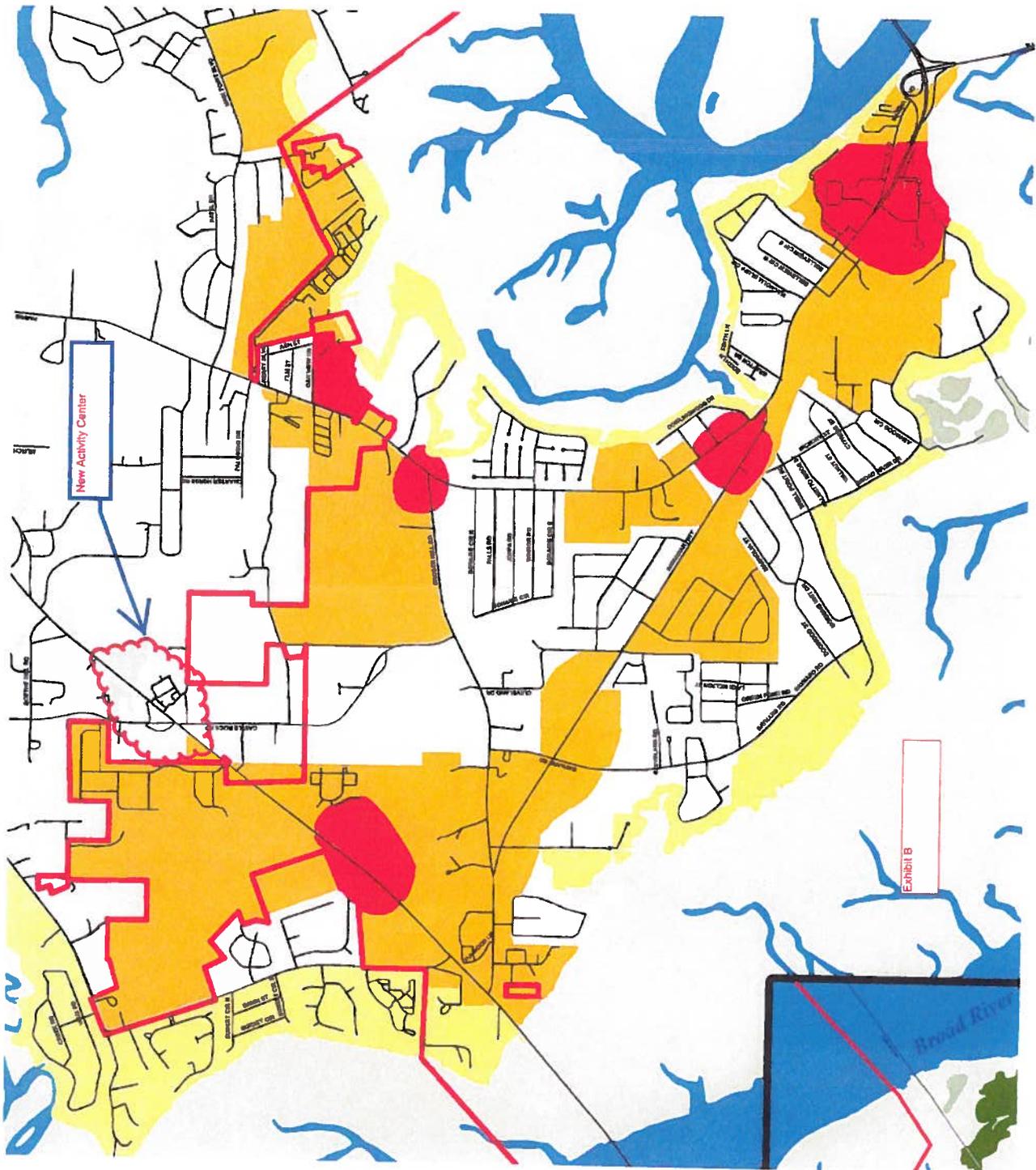
Old Line (Red)

New Line (Black)

Area Gained by
The City

Area Gained by
the Town

Excerpt from the Future Service Area Delivery Areas Agreement Map



City of Beaufort - Town of Port Royal – Beaufort County
Joint Metropolitan Planning Commission
Annexation and Rezoning Analysis PR-AX 01-13
Meeting Date: February 18, 2013

Applicant

Edna Anderson and Frances Rabon

Site

Approximately 13.74 acres

The plat map reference for this property is: District 100, Map 31, Parcel 2C and District 100, Map 028, Parcel 120D. The acreage is located behind 611 Robert Smalls Parkway and at 599 Robert Smalls Parkway. Parcel 2C is a 12.72 acre cemetery. Parcel 120D is 1.026 acres and sites a retail / warehouse facility currently occupied by Barrier Island Marine.

Present Zoning

The parcels are currently zoned Commercial Suburban under Beaufort County's Zoning and Development Standards Ordinance (ZDSO). Beaufort County Council is currently considering a text amendment to Commercial Suburban. The text amendment would allow businesses that service boats to also sell boats.

The Annexation

Comprehensive Plan

The parcels lie at the edge and just beyond the town's Future Land Use Map found in the Comprehensive Plan. A proposed amendment to the map will bring parcel 120D inside the growth boundary.

Delivery of Services

The parcel is located in an area served by the Beaufort Jasper Water and Sewer Authority. The Burton Volunteer Fire Department will be the first deliverer of services for this area, with Port Royal as backup. The Town holds an agreement with Burton Fire District. This agreement allocates funds annually from the town to the Burton Volunteer Fire Dept. The Port Royal Police Department has adequate staff levels to deliver services to this area. The current corporate boundaries are contiguous to this property.

Zoning

The applicants are requesting Highway Commercial zoning district. The property is within the Robert Smalls Parkway Overlay.

Proposed Zoning and Land Use Compatibility

Please see **Exhibit B, the Proposed Future Land Use Map** and **Exhibit A the Town's Zoning Map**.

The proposed zoning is Highway Commercial with the Robert Smalls Parkway Overlay. Highway Commercial allows a wide range of commercial uses. It precludes any residential uses. The existing uses comply with the Highway Commercial designation.

The Robert Smalls Parkway Overlay provides design standards and Design Review Board purview to non-residential development in the Robert Smalls Parkway corridor.

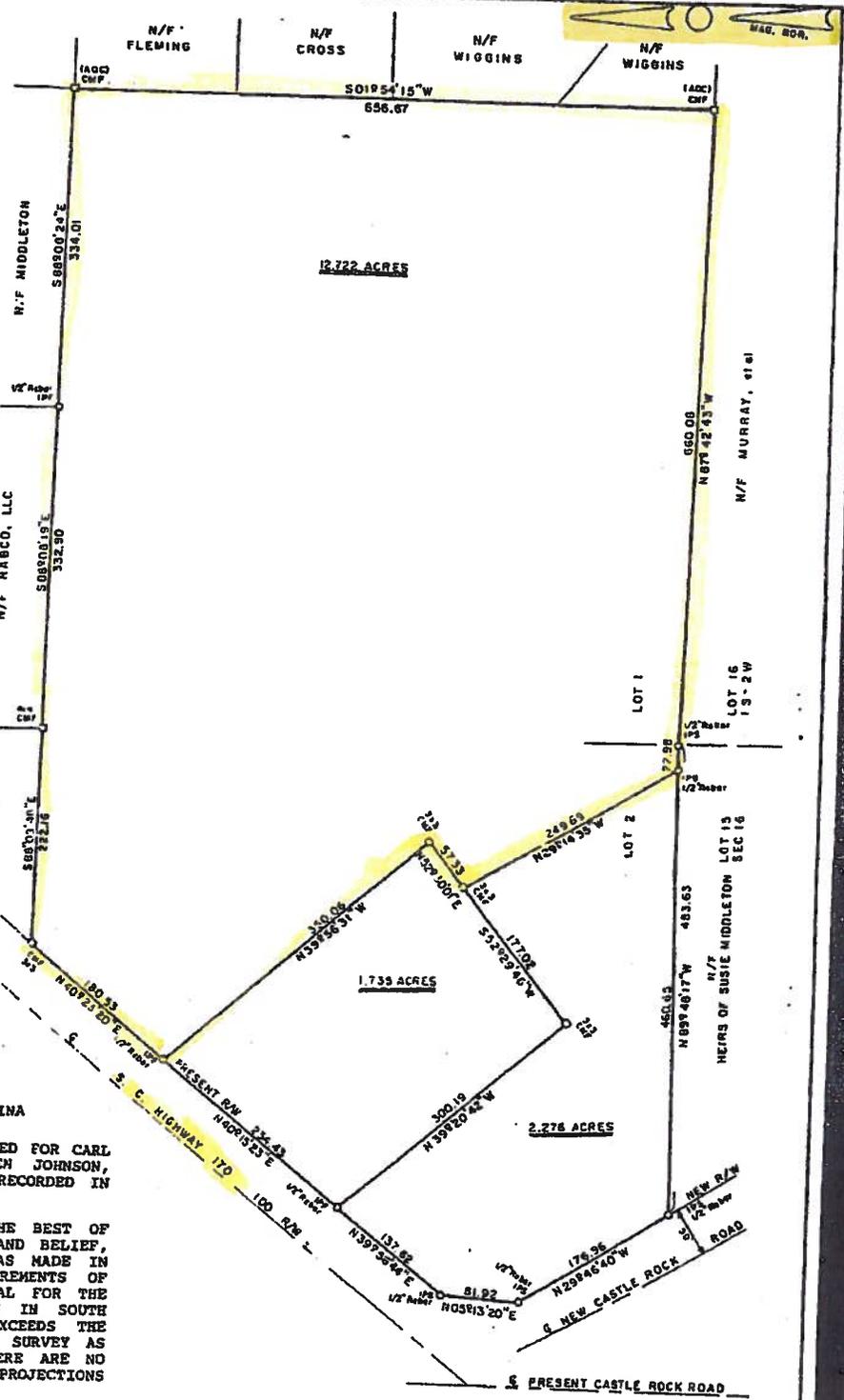
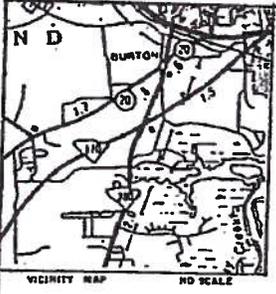
In addition to zoning, the town's development codes regulate tree removal and pruning, traffic impact, and street design standards. *The Stormwater Management and Utility Agreement* between Beaufort County and the Town of Port Royal, (June 12, 2012) adopted the design standards of the Beaufort County Best Management Practices (BMP) Manual for Stormwater Management..

Environmental Issues

There are no environmental issues

Public Notification

Letters were sent to property owners within 400 feet of the property being annexed and rezoned.



Anderson
 \$ 10.00
 17.50
 11.34
 71 PG 173
 FOLDER #

BOUNDARY SURVEY PREPARED FOR
 CARL W. ANDERSON TRUST
 LOT 1 AND A PORTION OF LOT 2
 SECTION 16 15 - 2W
 PORT ROYAL ISLAND
 BEAUFORT COUNTY SOUTH CAROLINA

REFERENCE PLAT: PLAT PREPARED FOR CARL
 W. ANDERSON, BY F. STEVEN JOHNSON,
 DATED NOVEMBER 17, 1990, RECORDED IN
 PLAT BOOK 41, PAGE 82.

I HEREBY STATE THAT TO THE BEST OF
 MY KNOWLEDGE, INFORMATION AND BELIEF,
 THE SURVEY SHOWN HEREON WAS MADE IN
 ACCORDANCE WITH THE REQUIREMENTS OF
 THE MINIMUM STANDARDS MANUAL FOR THE
 PRACTICE OF LAND SURVEYING IN SOUTH
 CAROLINA, AND MEETS OR EXCEEDS THE
 REQUIREMENTS FOR A CLASS B SURVEY AS
 SPECIFIED THEREIN; ALSO THERE ARE NO
 VISIBLE ENCROACHMENTS OR PROJECTIONS
 OTHER THAN SHOWN.

THIS PROPERTY IS LOCATED IN ZONE C AS DETERMINED
 BY FEMA, FIRM COMMUNITY-PANEL NUMBER 450025 0065
 D, DATED 9/29/86.

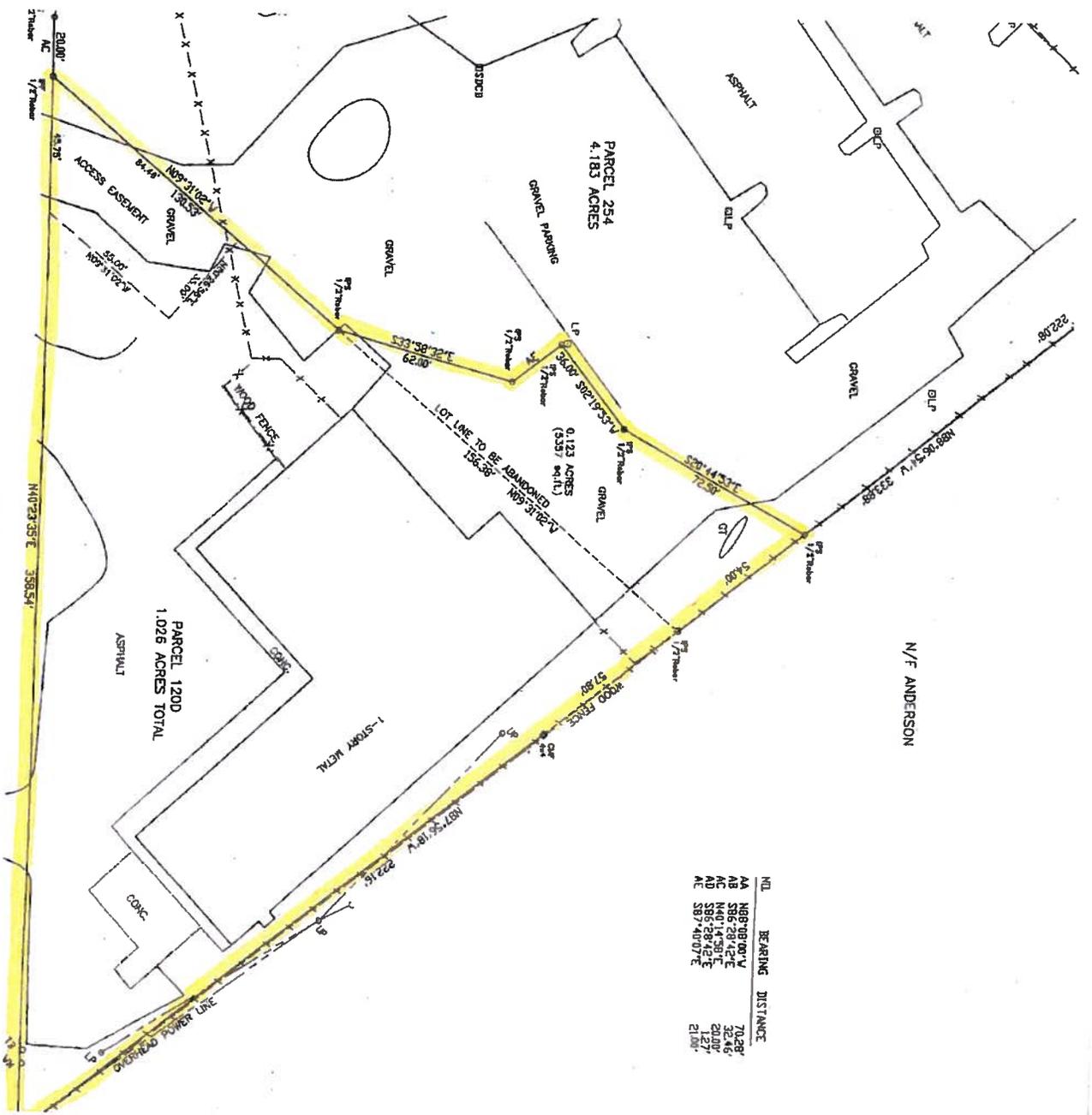
PIN:R100-031-000-0002-0000
 PIN:R100-031-000-002B-0000
 PIN:R100-031-000-002C-0000

0 50' 100' 200' 300
 SCALE 1" = 100' MAY 19, 1999

EXEMPT
 This plat of property is exempt from having to obtain a
 subdivision approval under the provision of the Beaufort
 County Development Standards Ordinance as provided
 for in Article 1, Division 2, Section 2.4.4.0
 Certified by David S. Youmans
 Date 10/2/99



David S. Youmans
 DAVID S. YOUMANS R.L.S. 9765
 BEAUFORT SURVEYING, INC.
 1925 DUKE STREET (P.O. BOX 1231)
 BEAUFORT, SOUTH CAROLINA 29901
 (843)524-3261 525-1175



N/L	BEARING	DISTANCE
AA	N89°08'00\"/>	
AB	S86°28'42\"/>	
AC	N40°14'30\"/>	
AD	S85°28'42\"/>	
AE	S87°40'07\"/>	
		70.98'
		32.46'
		20.00'
		1.27'
		21.00'

100' R/W



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NORTH CAROLINA SURVEYING ACT AND THE PRACTICE OF THE SURVEYING PROFESSION.

Carol Lynn Beaufort

City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Beaufort--Port Royal Metropolitan Planning Commission
FROM: Libby Anderson, Planning Director
DATE: February 11, 2013
SUBJECT: Amendment to UDO Pertaining to Outdoor Display of Merchandise

Section 6.6.F.1 of the Unified Development Ordinance (UDO) (attached) contains the requirements for outdoor display of merchandise. "Outdoor merchandise" such as cars and boats, are exempt from the requirements of the ordinance, and can be displayed in front of the building near the street in areas specifically designed and designated for such display. "Indoor merchandise," which is everything other than outdoor merchandise, is only allowed to be displayed within 5' of the building.

A new lawnmower sales and repair shop recently opened on SC 170. The owners would like to display the lawnmowers in the grassed area in front of the building near the street, 50+ feet from the building. The lawnmowers are kept inside overnight and would be brought out every morning for display. Staff denied permission for this outdoor display. The owners are appealing staff's decision to deny the outdoor display in this area. The owners noted that the ordinance specifically mentions "lawn maintenance equipment" as an example of exempt "outdoor merchandise."

The intent of the outdoor display ordinance is to minimize driver distraction and reduce visual clutter along the street. The exemption for outdoor merchandise is in place to accommodate merchandise that is not feasible to move on a daily basis (ex., storage sheds). The intent is not to permit items that are stored inside during nonbusiness hours, to be displayed along the street, just because these items are used outdoors. Since the lawnmowers are being stored inside overnight, the lawnmower display should be regulated the same way that furniture and clothing is addressed.

The Planning Commission considered this ordinance amendment at their December meeting. The Commission tabled the application so that staff could provide information on the outdoor display requirements in the Town of Port Royal and Beaufort County. I contacted planners in both jurisdictions and have attached their response to my inquiry.

To clarify the intent of the ordinance, staff is proposing to revise Section 6.6.F.1 as follows.

To clarify the intent of the ordinance, staff is proposing to revise Section 6.6.F.1 as follows.

Additional Requirements

1. Outdoor Display of Merchandise

- a.** Except as provided in paragraph b below, only merchandise typically used and stored outdoors, i.e., “outdoor merchandise,” may be displayed outdoors. Such merchandise ~~shall~~ **may** include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, and agricultural products. ~~lawns, maintenance equipment, and outdoor furniture.~~ Merchandise that is not stored overnight in the display area--merchandise that is stored inside during non-business hours--**is not considered “outdoor merchandise” for purposes of this section.**
- b.** “Indoor” merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within 5’ of the building and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator. For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase;
- c.** Areas designated for vehicular parking may not be used as outdoor display areas.
- d.** Merchandise shall not be placed on the public sidewalk or within the right-of-way without approval of the City Manager. If merchandise is displayed on any privately-owned sidewalk, a minimum of 42 inches of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
- e.** **A site plan shall be submitted and approved by staff that designates any areas intended for outdoor display of outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.** ~~Plans for new developments shall clearly designate any areas~~
- f.** Vending machines, except newspaper boxes, shall be screened from view from the street.
- g.** Any use or premises not conforming with the requirements of this section shall be brought into compliance with these requirements within one year of the effective date of this UDO.

Additional Requirements

1. Outdoor Display of Merchandise

- a.** Except as provided in paragraph b below, only merchandise typically used and stored outdoors, i.e., "outdoor merchandise," may be displayed outdoors. Such merchandise shall ~~may~~ include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, and agricultural products. ~~lawn maintenance equipment, and outdoor furniture.~~ This display is considered permanent display, in that the items being displayed remain in place during nonbusiness hours. Merchandise that is not stored overnight in the display area--merchandise that is stored inside during non-business hours--is not considered "outdoor merchandise" for purposes of this section.
- b.** "Indoor" merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within 5' of the building and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator. For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase;
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- f.** Vending machines, except newspaper boxes, shall be screened from view from the street.
- g.** Any use or premises not conforming with the requirements of this section shall be brought into compliance with these requirements within one year of the effective date of this UDO.

6. Light Trespass

In addition to the general provisions of this section, off-street lighting shall be shielded and/or directed in such a manner that it illuminates only the user's premises and does not spill over into neighboring residential areas so as to interfere with the peaceful enjoyment of residential or public properties. Floodlighting of buildings is prohibited except for church steeples and bridges.

7. Nonconforming Fixtures

Except where otherwise noted, all outdoor lighting fixtures existing and legally installed and operative before the effective date of this UDO are exempt from the requirements of this section. Whenever a nonconforming fixture is replaced or moved, the replacement fixture shall meet the requirements of this UDO.

F. Additional Requirements

1. Outdoor Display of Merchandise

- 
- a. Except as provided in paragraph b below, only merchandise typically used and stored outdoors may be displayed outdoors. Such merchandise shall include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment, and outdoor furniture.
 - b. "Indoor" merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within 5' of the building and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator. For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase;
 - c. Areas designated for vehicular parking may not be used as outdoor display areas.
 - d. Merchandise shall not be placed on the public sidewalk or within the right-of-way without approval of the City Manager. If merchandise is displayed on any privately-owned sidewalk, a minimum of 42 inches of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
 - e. Plans for new developments shall clearly designate any areas for outdoor display of outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.
 - f. Vending machines, except newspaper boxes, shall be screened from view from the street.
 - g. Any use or premises not conforming with the requirements of this section shall be brought into compliance with these requirements within one year of the effective date of this UDO.

Beaufort County

Libby Anderson

Subject: FW: Outdoor Display of Merchandise

From: Frazier, Delores [<mailto:deloresf@bcgov.net>]
Sent: Tuesday, December 18, 2012 3:15 PM
To: Libby Anderson
Subject: RE: Outdoor Display of Merchandise

Libby,

Our ZDSO does not have a section governing outdoor display, per se. Our general use table states that "Any retail use having exterior sales or storage shall be considered Regional Commercial, even if its scale does not require that." Regional commercial uses are only permitted in our CR (Commercial Regional) and RB (Rural Business) districts, and as a limited use in LI (Light Industrial). The County's Corridor Overlay District expressly prohibits exterior display of merchandise along regulated corridors except for "landscape structures, plant materials and agricultural products" (Sec. 4.A.4. of Appendix B). Our CRB requirements have pretty much controlled outdoor display in the County. Over time, though, we have relaxed our interpretation of this section of the code to include any merchandise that is intended for outdoor use (e.g. picnic tables, pools, swing sets, lawn mowers).

Hope this helps.
Delores

From: Libby Anderson [<mailto:landerson@cityofbeaufort.org>]
Sent: Tuesday, December 18, 2012 10:52 AM
To: Frazier, Delores
Subject: Outdoor Display of Merchandise

Delores:

I am trying to make some changes to our outdoor display ordinance. Could I have copy of your ordinance pertaining to outdoor display so that I can compare what we have to your regulations? I am also getting a copy of Port Royal's ordinance.

Thank you.

Libby

Tom S Port Royal

Libby Anderson

From: Linda Bridges <lbridges@portroyal.org>
Sent: Tuesday, December 18, 2012 10:47 AM
To: Libby Anderson
Subject: Outdoor Display

Here are our regulations.

Outdoor display of merchandise provide that:

1. Except as provided in paragraph 2 below, only merchandise typically used and stored outdoors may be displayed outdoors. Such merchandise shall include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment and outdoor furniture.
 - A. For the purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase; and
2. "Indoor" merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within five (5) feet of the building to include porches and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the administrator.
 - A. For the purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase; and
3. All merchandise displayed outdoors shall be set back from the property lines, the distance required by the zoning designation.
4. Areas designated for vehicular parking may not be used as outdoor display areas.
5. If merchandise is displayed on any sidewalk, a minimum of forty-two (42) inches of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
6. Plans for new developments shall clearly designate any areas for outdoor display of indoor or outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.
7. Any use or premises not conforming to the requirements of this section shall be brought into compliance with these requirements within thirty (30) days of the adoption date of the ordinance from which this section derives.

Linda K. Bridges
Town of Port Royal
Planning Administrator
700 Paris Avenue
P O Drawer 9
Port Royal, SC 29935
lbridges@portroyal.org
843 986-2207 o. 843 321-1777 c.
843 986-2210 f.

City of Beaufort Department of Planning and Development Services

M E M O R A N D U M

TO: Beaufort--Port Royal Metropolitan Planning Commission

FROM: Libby Anderson, City of Beaufort Planning Director

DATE: February 11, 2013

SUBJECT: Status Report on City Council Actions

UDO Amendment Revising CP District to Permit Overnight Guest Accommodations. First reading of the ordinance amendment is scheduled for the February 19 City Council meeting.

Please contact me with any questions.

Thank you.